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CRL OP No. 3098 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-02-2026

CORAM

THE HON'BLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP No. 3098 of 2026

D.Cyril Selladurai

..Petitioner

Vs

State by
The Inspector of Police,
E-4, Abiramapuram Police Station,
(Law and Order)
Chennai-600 018.
(Crime No.295/2017)

..Respondent

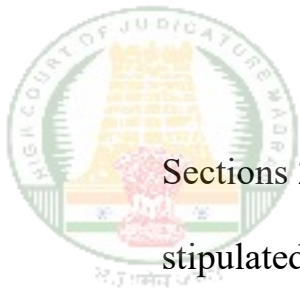
Prayer: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to issue a direction to the learned XXIII Metropolitan Magistrate, Saidapet, Chennai, to expedite the trial in C.C.No.1607/2020 within a time frame as may be stipulated by this Court.

For Petitioner : Mr.K.S.Elangovan

For Respondent : Mr.S.Santhosh,
Government Advocate (Criminal Side)

ORDER

This criminal original petition has been filed by the petitioner/*de facto* complainant seeking expeditious disposal of C.C.No.1607 of 2020 pending on the file of the learned XXIII Metropolitan Magistrate, Saidapet, Chennai, arising out of the FIR in Crime No.295 of 2017 registered for the offences under



Sections 294B, 342 and 506(1) of the IPC on the file of the respondent, within a stipulated time.

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2. When the matter was taken up for hearing, the learned Government Advocate (Crl. Side) appearing for the respondent police submitted that totally there are eight (8) witnesses in this case, out of whom, five witnesses have been examined and the remaining three witnesses have to be examined. The case is now posted on 25.02.2026 for examination of the remaining three witnesses.

3. Heard learned counsel on either side and perused the materials available on record.

4. It is pertinent to state that a Constitution Bench of the Supreme Court, in the case of ***High Court Bar Association, Allahabad vs. State of Uttar Pradesh*** reported in (2024) 6 SCC 267, has held that the constitutional courts, in the ordinary course, should refrain from fixing a time-bound schedule for the disposal of cases pending before any other court. The relevant portion of the said decision for the sake of ready reference is reproduced below:

"47.3. Constitutional courts, in the ordinary course, should refrain from fixing a time-bound schedule for the disposal of cases pending before any other courts. Constitutional courts may issue directions for the time-bound disposal of cases only in exceptional circumstances. The issue of prioritising the disposal of cases should be best left to the decision of the courts concerned where the cases are pending."



(emphasis supplied by this Court).

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5. It has also been held in the aforesaid extracted portion that in exceptional circumstances, constitutional courts may issue directions for time bound disposal of cases.

6. Considering the facts and circumstances of this case and also considering that the case which arises out of the FIR registered in 2017, is of the year 2020 and the same has been pending for the past six years, which, in the opinion of this Court is an exceptional circumstance, this Court directs the learned XXIII Metropolitan Magistrate, Saidapet, Chennai, to dispose of the case in C.C.No.1607 of 2020, as expeditiously as possible, preferably within a period of four months from 26.02.2026, i.e., the next date of hearing.

7. With the above direction, this criminal original petition stands disposed of.

10-02-2026

Neutral Citation: Yes/No

SRM



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A.D.JAGADISH CHANDIRA, J.

SRM

To

1. The XXIII Metropolitan Magistrate,
Saidapet,
Chennai.
2. The Inspector of Police,
E-4, Abiramapuram Police Station,
(Law and Order)
Chennai-600 018.
3. The Public Prosecutor,
High Court of Madras.

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