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Crl.O.P.No.3779 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2026

CORAM:

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

Crl.O.P.No.3779 of 2026

Andrew Dev

... Petitioner

Vs.

State Rep by
Inspector of Police,
District Crime Branch,
The Nilgiris.
Cr.No.172/2023

... Respondent

PRAYER: Criminal Original petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 Cr.P.C, to issue suitable direction to the Learned Chief Judicial Magistrate, The Nilgiris to complete the trial of the C.C.No.40 of 2024 at the earliest.

For Petitioner : Mr.K.Govi Ganesan

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.40 of 2024 pending on the file of the Chief Judicial Magistrate Court, The Nilgiris, arising out of the FIR in Crime No.1 of 2021 registered for the offences



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under Sections 465, 471, 120B, 468 & 420 of IPC on the file of the respondent, within a stipulated time.

2. When the matter was taken up for hearing, the learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the examination of all prosecution witnesses has been completed. He further submitted that the matter is currently posted for the cross-examination of the Investigating Officer.

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).

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 2021, is of the year 2024 and also examination of all prosecution witnesses has been completed, which in the opinion of this Court is an exceptional circumstance, this Court directs the learned Chief Judicial Magistrate, The Nilgiris, to dispose of the case in C.C.No.40 of 2024, as expeditiously as possible, preferably within a period of two months from the next date of hearing.

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



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Neutral Citation: Yes/No
rpl

A.D.JAGADISH CHANDIRA, J.

rpl

To

1.The Chief Judicial Magistrate, The Nilgiris

2.The Inspector of Police,
District Crime Branch,
The Nilgiris.

3.The Public Prosecutor,
High Court of Madras,
Chennai.

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