



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-02-2026

CORAM

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

CRL OP No. 4244 of 2026

1. A.S.Rajarathinam
S/o. Mr.Sundaraj
2. Saravanan
S/o. Mr.Sanmugham

..Petitioner(s)

Vs

The State Rep. By
The Inspector of Police,
Semmencherry Police Station,
Chennai-600119.

..Respondent(s)

Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita/Section 482 Cr.P.C., to direct the learned District Munsif-cum-Judicial Magistrate, Sholinganallur, to expedite the trial in C.C.No.833/2024 within the stipulated period that may be fixed by this Court.

For Petitioner(s): Mr.B.Maninaran

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

ORDER

This Criminal Original Petition has been filed seeking expeditious disposal of C.C.No.833 of 2024 pending on the file of the District Munsif-cum-Judicial Magistrate Court, Sholinganallur, within a stipulated time.



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2. Learned counsel appearing for the petitioners submitted that based on the complaint given by the de facto complainant against the petitioners and others, the first respondent police registered a case in Crime No.1020 of 2016, for the offence under Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002. He further submitted that after completion of investigation, the final report was filed and the same was taken cognizance of on the file of the District Munsif-cum-Judicial Court, Sholinganallur, in C.C.No.833 of 2024. He further submitted that the case pertains to the year 2016 and there has been no progress in the trial, despite the filing of the final report in the year 2024. He also submitted that the first petitioner is a septuagenarian and he has been unnecessarily made to appear before the Court. Therefore, the learned counsel appearing for the petitioners prayed for the indulgence of this Court to direct early disposal of the case.

3. Learned Government Advocate (Criminal Side) appearing for the respondent submitted that the respondent completed the investigation in Crime No.1020 of 2016, filed the final report and the same was taken cognizance of on the file of the District Munsif-cum-Judicial Court, Sholinganallur, in C.C.No.1270 of 2016. Thereafter, the case was transferred to the file of the District Munsif-cum-Judicial Magistrate, Sholinganallur and numbered as



C.C.No.833 of 2024. He further submitted that the case now stands posted to 06.03.2026 for examination of L.W.2 to L.W.5.

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

5. It is pertinent to state that a Constitution Bench of the Hon'ble 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).



6. 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.

7. Considering the fact that the first petitioner, who is a septuagenarian, is suffering from various ailments, which in the opinion of this Court, is an exceptional circumstance, this Court directs the learned District Munsif-cum-Judicial Magistrate, Sholinganallur, to dispose of the case in C.C.No.833 of 2024, as expeditiously as possible, preferably within a period of four months from 06.03.2026, i.e., the next date of hearing.

8. With the above direction, this Criminal Original Petition stands disposed of.

20-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

vkr



To

1. The District Munsif-cum-Judicial Magistrate,
Sholinganallur.

2. The Inspector of Police,
Semmencherry Police Station,
Chennai-600119.

3. The Public Prosecutor,
High Court of Madras.

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A.D.JAGADISH CHANDIRA, J.

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