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Crl.O.P.No.4169 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2026

CORAM:

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.4169 of 2026

S.Vijayaragavan

... Petitioner

-Vs-

The State of Tamil Nadu rep.by,
The Inspector of Police,
DCB Police Station,
Erode.

... Respondent

Prayer : Criminal Original Petition filed under Section 528 of B.N.S.S, to direct the learned Judicial Magistrate No.II at Erode to dispose of the C.C.No.265 of 2020 at an early date as expeditiously.

For Petitioner : Ms.R.Amrutha

For Respondent : Mr.S.Santhosh
Government Advocate (Crl.side)

ORDER

This Criminal Original Petition has been filed by the petitioner seeking early disposal of C.C.No.265 of 2020 pending on the file of the learned Judicial Magistrate Court No.II, Erode.



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2. When the matter was taken up for hearing, the learned Government Advocate (Crl. Side) appearing for the respondent submitted that there are twenty six (26) witnesses in this case and that the case is now posted on 09.03.2026 for commencement of trial.

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 is of the year 2020 and the same has been pending for over five years, this Court directs the learned Judicial Magistrate No.II, Erode, to dispose of the case in C.C.No.265 of 2020, as expeditiously as possible, preferably within a period of six months from the date of receipt of a copy of this order.

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

19.02.2026

Index : Yes/No
Neutral Citation: Yes/No
Speaking/Non Speaking order
rpl

To

1.The Judicial Magistrate No.II, Erode

2.The Inspector of Police,
DCB Police Station,
Erode.

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



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A.D.JAGADISH CHANDIRA . J,

rpl

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