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CRL OP No. 4741 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-02-2026

CORAM

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

CRL OP No. 4741 of 2026

N.Gopalsamy

..Petitioner

Vs

S.P.K.Kathiresan

..Respondent

Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the learned Judicial Magistrate No.I, Pollachi, Coimbatore District, to expedite and dispose of C.C.No.15 of 2020 within a time frame to be fixed by this Court.

For Petitioner : Mr.B.Sargunam

ORDER

This criminal original petition has been filed by the petitioner/complainant seeking expeditious disposal of C.C.No.15 of 2020 pending on the file of the Judicial Magistrate Court No.I, Pollachi, Coimbatore District, arising out of the private complaint filed under Section 200 of Cr.P.C. for the offences under Sections 138 and 142 of the Negotiable Instruments Act, 1881, within a stipulated time.

2. The learned counsel appearing for the petitioner submitted that the petitioner, who is a senior citizen, filed a private complaint against the



respondent and the same was taken on file as C.C.No.15 of 2020 on the file of the Judicial Magistrate Court No.I, Pollachi, Coimbatore District. He further submitted that the proceedings under Section 138 of the Negotiable Instruments Act, 1881, has to be completed within a period of six months from the date of filing the complaint, as per Section 143(3) of the Negotiable Instruments Act, 1881, despite which, it has been pending for trial for the past five years. Therefore, this petition has been filed seeking early disposal of the proceedings in C.C.No.15 of 2020 on the file of the Judicial Magistrate Court No.I, Pollachi, Coimbatore District.

3. Heard the learned counsel for the petitioner 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 petitioner/complainant is a senior citizen and the case is of the year 2020 and the same has been pending for the past five years, which, in the opinion of this Court are exceptional circumstances, this Court directs the learned Judicial Magistrate No.I, Pollachi, Coimbatore District, to dispose of the case in C.C.No.15 of 2020, as expeditiously as possible, preferably within a period of one year from the date of receipt of a copy of this order by following the mandate under Section 143(3) of the Negotiable Instruments Act, 1881.

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

26-02-2026

Neutral Citation: Yes/No
SRM



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A.D.JAGADISH CHANDIRA, J.

SRM

To

The Judicial Magistrate No.I,
Pollachi, Coimbatore District.

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