



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. 4285 of 2026

Amudhan

..Petitioner(s)

Vs

State Rep by
Inspector Police,
Vellore North Crime Police Station,
Vellore, Vellore District.
(Crime No.210 of 2015)

..Respondent(s)

Criminal Original petition is filed under Section 528 of B.N.S.S., to direct the learned Judicial Magistrate No.IV, Vellore, to expedite the trial pending in C.C.No.396 of 2017 within the stipulated period that may be fixed by this Court.

For Petitioner(s): Mr.G.Vinoth Kumar

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

ORDER

This Criminal Original Petition has been filed seeking seeking expeditious disposal of C.C.No.396 of 2017 pending on the file of the Judicial Magistrate Court No.IV, Vellore, within a stipulated time.



2. Learned counsel appearing for the petitioner submitted that based on the complaint given by the de facto complainant against the petitioner, the respondent police registered a case in Crime No.210 of 2015, for the offence under Sections 120B, 465, 466, 467, 468 and 471 of IPC r/w Sections 420 and 109 of IPC and later altered to Sections 120B, 418, 419, 465, 467, 468 r/w 471 and 420 IPC r/w 120B/114 IPC. 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 learned Judicial Magistrate Court No.IV, Vellore, in C.C.No.396 of 2017. He further submitted that the case pertains to the year 2015 and there has been no progress in the trial, despite the filing of the final report in the year 2017. He also submitted that the petitioner is a septuagenarian and is suffering from various ailments. Therefore, the learned counsel appearing for the petitioner 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 had completed the investigation in Crime No.210 of 2015, filed the final report and the same has been taken cognizance of on the file of the Judicial Magistrate Court No.IV, Vellore, in C.C.No.396 of 2017. He further submitted that L.W.1 is residing in the U.S.A and he is not appearing before the Court from the year 2017.



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 facts that the petitioner, who is a septuagenarian, is suffering from various ailments and further, the de facto complainant is not appearing before the Court, the trial Court cannot keep the matter pending unnecessarily from the year 2017. These being two exceptional circumstances, this Court directs the learned Judicial Magistrate No.IV, Vellore, to dispose of the case in C.C.No.396 of 2017, as expeditiously as possible, preferably within a period of four months from 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 Judicial Magistrate No.IV, Vellore.

2.The Inspector Police,
Vellore North Crime Police Station,
Vellore, Vellore District.

3.The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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