



WEB COPY

CRL OP No. 5000 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-03-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 5000 of 2026

1. Manoharan
S/o.Pethaperumal,
Residing at 3rd cross street,
Thomas Arul Thidal, Karaikal,
Puducherry - 609 602.
2. Babu
S/o.Bakkiri samy,
Residing at No.344, Main Road,
Vadakarai Mathur.
3. Sridhar
S/o.Manoharan,
Residing at 2/16, Housing Board,
Nehru Nagar, Thalatheru, Karaikal,
Puducherry - 609 605.

..Petitioner(s)

Vs

The State Rep By
Inspector of Police,
Peralam Police Station,
Tiruvarur District.
(Crime No. 573 of 2018)

..Respondent(s)

PRAYER – This Criminal Original Petition is filed under Section 528 of BNSS, to issue direction to dispose of the C.C.No.222 of 2019 pending on the file of the District Munsif cum Judicial Magistrate court, Nannilam, as expeditiously as possible within the period of stipulated time by appreciating the above said facts and circumstances of the case.



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For Petitioner(s):

Mr.V.Saravanan

For Respondent(s):

Mr.Leonard Arul Joseph Selvam,
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed by the petitioners/accused facing trial in C.C.No.222 of 2019, seeking expeditious disposal of the same pending on the file of the District Munsif cum Judicial Magistrate court, Nannilam, within a stipulated time.

2.Learned counsel appearing for the petitioners submitted that the FIR in this case is registered in the year 2018 for the offence under Sections 294(b), 323, 324 & 506(2) of I.P.C. and thereafter, charge sheet has been filed in the year 2019. He further submitted that questioning was conducted on 21.09.2021. Thereafter, the case was proceeded for trial and summons was ordered to be issued to L.W.1 to L.W.5 on 21.09.2021. Witness was produced only in the year 2025 and now, 4 witnesses produced have been cross-examined. Remaining of the witness to be examined without delay. For the past 7 years, there is no substantial progress of the trial and the petitioners have been unnecessarily harassed. Therefore, the learned counsel appearing for the petitioners prayed for the indulgence of this Court to direct early disposal of the case.



3.Learned Additional Public Prosecutor appearing, who takes notice for the respondent, submitted that in this case, there are totally 11 witnesses, of which 4 witnesses have already been examined. P.W.1 was examined on 29.01.2025, P.W.2 and P.W.3 were examined on 13.03.2025 and P.W.4 was examined on 14.09.2025. For the remaining 7 witnesses, summons have been taken for the next hearing on 26.03.2026. L.W.3 died on 26.05.2020 and L.W.7 died on 17.08.2021. For the remaining witnesses, namely L.W.5, L.W.6, L.W.8 and L.W.9, summons have been served. L.W.8 is not residing in the address given in the V.A.O certificate produced. He further submitted that however, all the available witnesses will appear before the Trial Court on 26.03.2026 for examination and it is seen that already summons have been filed to available witnesses and wherever witnesses have been died, death certificate has been collected.

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.In view of the above, this Court directs the learned District Munsif-cum-Judicial Magistrate, Nannilam, to dispose of the case in C.C.No.222 of 2019, as expeditiously as possible, preferably within a period of three months from 26.03.2026, i.e., the next date of hearing.

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

12-03-2026

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



To

1. The Inspector of Police,
Peralam Police Station,
Tiruvarur District.

2. The Public Prosecutor,
Madras High Court.



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M.NIRMAL KUMAR, J.

GSA

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