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CRL OP No. 8196 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.04.2026

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THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 8196 of 2026

R.Senthil Kumar

..Petitioner(s)

Vs

The State represented by
The Inspector of Police(Crime),
S7, Madipakkam Police Station,
Chennai.

..Respondent(s)

Criminal Original Petition is filed under Section 528 of B.N.S.S., to direct the concerned trial Court to conduct and complete the trial in C.C.No.72 of 2026 arising out of Crime No.379 of 2021 within a time frame as fixed by this Court.

For Petitioner(s):

Mr.G.Kartheeban

For Respondent(s):

Mr.Leonard Arul Joseph Selvam,
Additional Public Prosecutor for R1 & R2

ORDER

This Criminal Original Petition has been filed seeking a direction to the learned Judicial Magistrate No.II, Alandur, to conduct and complete the trial in C.C.No.72 of 2026 arising out of Crime No.379 of 2021 within a time frame to be fixed by this Court.



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2. The grievance of the petitioner is that the case was registered in the year 2021 in Crime No.379 of 2021 and thereafter, no proper investigation was conducted. It is further submitted that the petitioner was constrained to approach this Court by filing a contempt petition. Though the charge sheet has now been filed, no effective progress has been made in the trial. It is also stated that there are three accused arrayed as A1 to A3. Out of them, A1 and A3 are absconding. Owing to their non-appearance, the case has been repeatedly adjourned without any substantial progress.

3. The learned Additional Public Prosecutor appearing for the respondent submitted that the investigation has been completed, the charge sheet has been filed before the learned Judicial Magistrate No.II, Alandur on 07.03.2026 against A1 to A3 and the same has been taken cognizance in C.C.No.72 of 2026. He further submitted that A2 is regularly appearing before the trial Court. Insofar as A1 and A3 are concerned, they are absconding and steps have already been taken to secure their presence by issuance of summons. In the event of their continued evasion, appropriate coercive steps would be taken in accordance with law. The respondent police would ensure that the accused are secured and produced before the trial Court at the earliest.



4. This Court has considered the submissions made on either side and perused the materials available on record. It is seen that the final report has already been filed and the case has been taken on file in C.C.No.72 of 2026. The delay in progress of the trial appears to be on account of the non-appearance of A1 and A3, who are stated to be absconding. In such circumstances, this Court is of the view that appropriate directions are required to be issued to ensure the presence of the accused and for expeditious disposal of the case. The trial Court is empowered to take necessary coercive steps, including issuance of warrant, to secure the presence of the absconding accused.

5. Accordingly, the learned Judicial Magistrate No.II, Alandur, is directed to take effective steps to secure the presence of A1 and A3 and thereafter, proceed with the trial in accordance with law and dispose of the case as expeditiously as possible.

6. With the above directions, this Criminal Original Petition is disposed of.

06.04.2026

Index: Yes/No
VKR



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M.NIRMAL KUMAR, J.

VKR

To

- 1.The Judicial Magistrate No.II, Alandur.
- 2.The The Inspector of Police(Crime),
S7, Madipakkam Police Station,
Chennai.
- 3.The Public Prosecutor,
High Court of Madras.

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