



Crl.O.P.No.22618 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.02.2026

CORAM:

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

Crl.O.P.No.22618 of 2023
and Crl.M.P.Nos.15817 & 15818 of 2023

1. Manikandan
2. Gurusamy @ Arun
3. Shahul Hameed
4. Gowrishankar

... Petitioners

Vs.

1. State represented by,
The Inspector of Police,
Chitlapakkam, Chennai.

(Crime No.486 of 2019)

2. Capt.Dr.V.Ravi

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 of Cr.P.C., to call for the records in C.C.No.44 of 2022 on the file of the Judicial Magistrate Court No.I, Tambaram, Chennai and quash the same.

For Petitioners : Mr.R.Karthikeyan

For R1 : Mr.S.Santhosh

Government Advocate (Criminal Side)

For R2 : No Appearance



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ORDER

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This Criminal Original Petition has been seeking to quash the proceedings pending against the petitioners in C.C.No.44 of 2022 on the file of the Judicial Magistrate Court No.I, Tambaram, Chennai.

2. When the matter was taken up for hearing today, the learned Government Advocate (Criminal Side) submitted that the trial in this case has already commenced and that except the Investigating Officer, all the other witnesses have been examined. He further submitted that the case now stands posted on 05.03.2026.

3. Taking note of the facts of the case and the submissions made by the learned Government Advocate (Criminal Side) that the trial has already commenced in this matter, this Court is not inclined to interfere with the trial proceedings at this stage.

4. At this juncture, the learned counsel appearing for the petitioners sought permission of this Court to withdraw this petition and also made an endorsement to that effect. Further, he sought the indulgence of this Court, to dispense with the personal appearance of the petitioners before the trial Court and also to direct early disposal of the case.



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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 submission and endorsement made by the learned counsel appearing for the petitioners, this Criminal Original Petition



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is dismissed as withdrawn. Consequently, the connected miscellaneous petitions are closed.

8. However, considering the fact that the case is of the year 2022 and that only the examination of the Investigating Officer is pending, this Court, considering it as an exceptional circumstance, directs the learned Judicial Magistrate No.I, Tambaram, Chennai, to dispose of the case in C.C.No.44 of 2022, as expeditiously as possible, preferably within a period of **two months** from the date of receipt of a copy of this order.

9. Further, the personal appearance of the petitioners before the trial Court is dispensed with, except for the receipt of copies, answering the charges, questioning under Section 313 Cr.P.C., passing of judgment, or any other date as may be required by the trial Court. However, it is made clear that the petitioners shall be duly represented by their counsel before the trial Court.

25.02.2026

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Neutral Citation: Yes/No



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To

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1. The Judicial Magistrate No.I,
Tambaram, Chennai.
2. The Inspector of Police,
Chitlapakkam, Chennai.
3. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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and
Crl.M.P.Nos.15817 & 15818 of 2023***

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