



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-01-2026

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CORAM

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

**CRL OP No. 32623 of 2022
and Crl.M.P.Nos.20116 and 20117 of 2022**

Joshua Mani

.. Petitioner

Vs

1. The State Rep. by
The Inspector Of Police,
Peerankaranai Police Station (S-14),
Perungalathur, Chennai.
(Cr.No.58/2022)

..Respondent

2. Divya

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records relating to the charge sheet in C.C.No. 198 of 2022 on the file of the learned Judicial Magistrate No.1 at Tambaram and quash the same.

For Petitioner : Mr. G.Justin

For Respondents : Mr.K.M.D. Muhilan,
Additional Public Prosecutor for R-1

ORDER

When the matter was taken up for hearing today, the learned counsel appearing for the petitioner sought permission of this Court to withdraw this petition and also made an endorsement to that effect. Further, he submitted that the charge sheet is of the year 2022 and hence, the Trial Court may be directed to complete the trial within a specified time. He further submitted that the personal appearance of the petitioner before the Trial Court may be dispensed



with.

2. The learned Additional Public Prosecutor appearing for the first respondent Police submitted that the case stands posted on 09.02.2026 for examination of L.W-1 to L.W-3 and there are seven other witnesses are to be examined.

3. In view of the submission and the endorsement made by the learned counsel appearing for the petitioner as regards withdrawal, this Criminal Original Petition is dismissed as withdrawn. Consequently, Crl.M.P.No.20116 of 2022 is closed.

4. As regards the submission of the learned counsel for the petitioner for a direction to the Trial Court to complete the trial within a time frame, 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).



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 case is of the year 2022 and the same has been pending for the past three years, which, in the opinion of this Court is an exceptional circumstance, this Court directs the learned Judicial Magistrate No.1 at Tambaram, to dispose of the case in C.C.No.198 of 2022, as expeditiously as possible, preferably within a period of six months from 09.02.2026, i.e., the next date of hearing.

7. Further, acceding to the submission of the learned counsel for the petitioner, the personal appearance of the petitioner before the trial Court is dispensed with, except for 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 he shall be represented by his counsel before the trial Court on all hearing dates. Accordingly, CrI.M.P.No.20117 of 2022 stands ordered.

28-01-2026

Neutral Citation: Yes/No
SRM



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A.D.JAGADISH CHANDIRA, J.

SRM

To

1. The Judicial Magistrate No.1,
Tambaram.
2. The Inspector Of Police,
Peerankaranai Police Station (S-14),
Perungalathur, Chennai.
3. The Public Prosecutor,
High Court of Madras.

CRL OP No. 32623 of 2022

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