



Crl.O.P.No.34722 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2026

CORAM:

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

Crl.O.P.No.34722 of 2025
and
Crl.M.P.Nos.24340 & 24341 of 2025

A.Arunkumar

... Petitioner

Vs.

1.The state rep.by
The Inspector of Police
Koyambedu Police Station,
Chennai.
Cr.No.204/2021

2.Pandian

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to call for the records in S.C.No.643 of 2025 pending on the file of the VI Additional Sessions Judge, Chennai and quash the same.

For Petitioner : Mr.D.Ashok Kumar

For R1 : Mr.S.Santhosh
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings against the petitioner in S.C.No.643 of 2025 on the file of VI



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Additional Sessions Judge, Chennai.

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2. The learned counsel appearing for the petitioner sought permission of this Court to withdraw the petition. However, he also submitted that the petitioner is a law graduate who is presently pursuing his LL.M. He further submitted that the petitioner was falsely implicated in the present case only because he had informed the authorities about the murder and therefore, submitted that the personal appearance of the petitioner before the trial Court may be dispensed with.

3. Per contra, the learned Government Advocate (Crl.Side) appearing for the respondent police submitted that there are materials on record to show the involvement of the petitioner in the offence and hence, the presence of the petitioner will be required for the purpose of identification.

4. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the first respondent.



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5. In view of the submissions made by the learned counsel for the petitioner, this **Criminal Original Petition is dismissed as withdrawn.**

However, this Court directs the learned VI Additional Sessions Judge, Chennai, to complete the trial in S.C.No.643 of 2025 as expeditiously as possible. While holding so, this Court is not oblivious of the judgment of 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, wherein, it was 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 and that time limit can be fixed for disposal of cases only in exceptional circumstances. 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)



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6. Keeping in mind the fact that the petitioner is pursuing LL.M. course, which, in the opinion of this Court is an exceptional circumstance, this Court, in the preceding paragraph, has directed for expeditious disposal of the case.

7. 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./Section 351 of BNSS, on the date of pronouncing judgment and also on any other dates as may be required by the trial Court. It is made clear that the petitioner shall be duly represented by his counsel on all hearing dates. Consequently, Crl.M.P.No.24341 of 2025 is ordered accordingly and Crl.M.P.No.24340 of 2025 is closed.

02.01.2026

rpl

To

1. The VI Additional Sessions Judge, Chennai
2. The Inspector of Police
Koyambedu Police Station,
Chennai
3. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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