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CrI.O.P.No.34765 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2026

CORAM:

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

CrI.O.P.No.34765 of 2025

R.Lalitha

... Petitioner

Vs.

The State of Tamil Nadu Rep. by
The Inspector of Police
Kunnam Police Station, Perambalur.

... Respondent

PRAYER : Criminal Original Petition is filed under Section 528 of BNSS, to direct the learned District and Sessions Court at Perambalur to dispose of .C.No.37 of 2024 at an early date as expeditiously within the time frame fixed by this Court.

For Petitioner : Mr.G.Ialmurugu

For Respondent : Mr.S.Santhosh
Government Advocate [CrI. Side]

ORDER

This Criminal Original Petition has been filed to direct the learned District and Sessions Court at Perambalur to dispose of the Sessions Case in S.C.No.37 of 2024 within the time frame fixed by this Court.



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2. The learned counsel for the petitioner would submit that the petitioner is the wife of the deceased and her husband was brutally murdered on 27.08.2022. It is his further contention that despite the fact that the final report has been filed during the year 2023, there is no progress in the trial and there is a threat from the accused. Hence, the present petition has been filed.

3. The learned Government Advocate [Criminal Side] appearing for the respondent would submit that now the case has been posted for commencement of trial and there are totally 33 witnesses in this case.

4. 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:



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"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. In the present case, considering the fact that the occurrence took place in the year 2022 and the Sessions Case is of the year 2024 and it is also reported that there is threat from the accused and this being an exceptional circumstance in the opinion of this Court, a direction is issued to the learned trial Judge to complete the trial as expeditiously as possible, preferably within a period of nine months from the date of receipt of a copy of this order.



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6. With the above direction, this criminal Original Petition is disposed of.

05.01.2026

Neutral Citation: Yes/No

vrc

To

1. The Principal District and Sessions Judge,
Perambalur.
2. The Inspector of Police
Kunnam Police Station, Perambalur.
3. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

VRC

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