



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-01-2026

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

**CRL MP No. 24759 of 2025
AND
CRL OP NO. 13456 OF 2024**

1. Ganesan
S/o. Kandasamy
2. Eswaran
S/o. Kandasamy
3. Chinthan
S/o. Ganesan
4. Rajesh
S/o.Eshwaran

..Petitioner(s)

Vs

1. State rep by its
The Deputy Superintendent of Police,
Palladam, Tiruppur District.
2. The Inspector of Police,
Mangalam Police Station,
Tiruppur. Crime No.287 of 2023
3. P. Selvakumar
S/o.Paramasivam

..Respondent(s)

CRL OP No. 13456 of 2024

1. Ganesan
S/o. Kandasamy



2. Eswaran
S/o. Kandasamy

3. Chinthan
S/o. Ganesan

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S/o. Paramasivam

..Respondent(s)

PRAYER IN CRL MP No. 24759 of 2025

Criminal Miscellaneous Petition filed under Sec.528 of B.N.S.S., 2023, to fix a date for early hearing in Crl O.P. No.13546 of 2024.

PRAYER IN CRL OP No. 13456 of 2024

Criminal Original Petition filed under Sec.482 of Cr.P.C., to call for the records in Spl. SC No.38 of 2024 on the file of Sessions Judge, Special Court for trial of cases under SC/ST (PoA) Act at Tirupur and to quash the same.

For Petitioner(s): Mr. R.Thirumoorthy

For Respondent(s): Mr.S.Santhosh
Government Advocate for R1 & R2

Mr.Deepan Uday for R3



Order

Though what is listed today is Crl.M.P.No. 24759 of 2025, which has been filed to fix a date for early hearing in Crl.O.P. No. 13546 of 2024, when the matter was taken up for hearing, Mr.R.Thirumoorthy, learned counsel appearing for petitioners sought permission of this Court to withdraw the main Criminal Original Petition itself. However, he submitted that a direction may be issued to the concerned trial judge to dispose the trial within a specified period and he may also be permitted to raise all the grounds raised in the Criminal Original Petition before the trial court. He further submitted that a time frame may be fixed to dispose the case in Spl.SC.No. 38 of 2024.

2. Learned Government Advocate (Crl. Side) appearing for respondents submitted that the trial had commenced and out of 13 witnesses, so far, three witnesses have been examined.

3. In view of the above submission and endorsement made by the learned counsel for petitioners, the main Criminal Original Petition is dismissed as withdrawn. However, the petitioners are granted liberty to raise all the grounds raised in the Criminal Original Petition before the trial court. The trial judge shall take every endeavour to dispose of the case in Spl.S.C.No. 38 of 2024 as expeditiously as possible preferably within a period of six months from the date of receipt of a copy of this order. 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)

Consequently, this Criminal Miscellaneous Petition is closed.

02-01-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

RPP

Note : Issue order copy on 05.01.2026



To

1. The Sessions Judge, Special Court for trial of cases under SC/ST (PoA) at Tiruppur.
2. The Deputy Superintendent of Police, Palladam, Tiruppur District.
3. The Inspector of Police, Mangalam Police Station, Tiruppur.
4. The Public Prosecutor, High Court, Madras.



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CRL MP No. 24759 of 2



A.D.JAGADISH CHANDIRA J.

RPP

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