



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-01-2026

CORAM

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

CRL OP No. 36206 of 2025

Chandiran

..Petitioner

Vs

The State Rep by
The Inspector of Police,
J-8, Neelankarai Police Station,
Neelakarai,
Chennai. (Crime No.224/2013)

..Respondent

Criminal Original Petition filed under Section 528 of BNSS, 2023 to direct the learned District Munsif-cum-Judicial Magistrate, Sholinganallur to conclude the above Calendar Case in C.C.No.401/2024 within a stipulated period in accordance with law.

For Petitioner : Mr.K.Madhan

For Respondent : Mr.S.Santhosh,
Government Advocate (Criminal Side)

ORDER

This criminal original petition has been filed by the petitioner/accused seeking expeditious disposal of C.C.No.401 of 2024 pending on the file of the learned District Munsif-cum-Judicial Magistrate, Sholinganallur, arising out of the FIR in Crime No.224 of 2013 registered for the offences under Sections 294(b), 323 and 506(ii) of IPC on the file of the respondent, within a stipulated time.



2. The learned counsel appearing for the petitioner submitted that the petitioner is an accused in Crime No.224 of 2013 and despite lapse of 12 years the respondent is not producing the witnesses for conducting the trial. Hence, the petitioner filed this Criminal Original Petition.

3. *Per contra*, the learned Government Advocate (Crl. Side) appearing for the respondent submitted that the trial has commenced and the case stands posted on 08.01.2026 for examination of PW.2. He further submitted that there are five other witnesses in this case and the respondents are ready to produce the witness and all the accused are appearing.

4. Heard learned counsel on either side and perused the materials available on record.

5. 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).

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. Considering the facts and circumstances of this case and also considering that the case is of the year 2013 and the same has been pending for the past twelve years, which, in the opinion of this Court, is an exceptional circumstance, this Court directs the learned learned District Munsif-cum-Judicial Magistrate, Sholinganallur, to dispose of the case in C.C.No.401 of 2024, as expeditiously as possible, preferably within a period of six months from 08.01.2026, i.e., the next date of hearing.

8. With the above direction, this criminal original petition stands disposed of.

06-01-2026

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



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A.D.JAGADISH CHANDIRA, J.

SRM

To

1. The District Munsif-cum-Judicial Magistrate,
Sholinganallur.
2. The Inspector of Police,
J-8, Neelankarai Police Station,
Neelakarai, Chennai.
3. The Public Prosecutor,
High Court of Madras.

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