



CrI.O.P.No.35010 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.35010 of 2025

1. S.Shankari
2. N.Sathish
3. S.Murugan
4. Uma @ Uma

... Petitioners

Vs.

1. The State rep. by the Inspector of Police,
Central Crime Branch, Team-II,
Chit & Kandhuvatti, Veppery,
Chennai – 600 097.

2. V.Boopathy

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the Court below to expedite the trial proceedings in C.C.No.171 of 2022 on the file of the CCB Metropolitan Magistrate Court at Egmore.

For Petitioners : Mr.K.Duraimurugan

For Respondents : Mr.S.Santhosh,
Government Advocate [CrI. Side] - R1



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CrI.O.P.No.35010 of 2025

ORDER

This Criminal Original Petition has been filed to direct the Court below to expedite the trial proceedings in C.C.No.171 of 2022 on the file of the CCB Metropolitan Magistrate Court at Egmore, Chennai.

2. The learned counsel for the petitioners would submit that the petitioners are accused facing trial in C.C.No.171 of 2022 on the file of the CCB Metropolitan Magistrate Court, Egmore for the offences under sections 406, 420 read with 34 of IPC. He would further submit that though the final report in the above case has been filed in the year 2022, there is no progress in trial. It is his contention that though the right of speedy disposal is a statutory right guaranteed under the Constitution of India, the respondents are not co-operating for the speedy disposal of the case.

3. The learned Government Advocate [Criminal Side] would submit that there are totally 74 witnesses in this case and the case stands posted on 18.03.2026 for commencement of trial and the first respondent is ready to produce the witnesses on the dates fixed by the trial Court.



4. Heard the learned counsel for the petitioner and the learned Government Advocate [Criminal Side] for the first respondent and perused entire records.

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



CrI.O.P.No.35010 of 2025

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 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 one year from 18.03.2026.

7. With the above direction, this Criminal Original Petition is disposed of.

05.01.2026

Neutral Citation:Yes/No

vrc

To

1. The CCB Metropolitan Magistrate,
Egmore, Chennai.
2. The Inspector of Police,
Central Crime Branch, Team-II,
Chit & Kandhuvatti, Veppery,
Chennai – 600 097.
3. The Public Prosecutor,
High Court, Madras.



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CrI.O.P.No.35010 of 2025

A.D.JAGADISH CHANDIRA, J.

VRC

CrI.O.P.No.35010 of 2025

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