



Crl.O.P.No.36188 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2026

CORAM:

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

Crl.O.P.No.36188 of 2025

K.Sivalingam

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Kilpennathur Police Station,
Tiruvannamalai District.

... Respondent

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, to issue a direction to the Special Court for SC/ST (PoA) Act Cases, Tiruvannamalai, to expeditiously conclude the trial in Spl.S.C.No.106 of 2019, preferably within a fixed time frame stipulated by this Court.

For Petitioner : Mr.P.Arun Kumar

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

ORDER

This Criminal Original Petition has been filed seeking a direction to the learned Special Court for SC/ST (PoA) Act Cases, Tiruvannamalai, to complete the trial in Spl.S.C.No.106 of 2019 in an expeditious manner.



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2. The submissions of the learned counsel appearing for the petitioner are as follows:-

2.1. The petitioner, who is arrayed as A2, is facing trial in Spl.S.C.No.106 of 2019 for the offences under Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. The main witness in this case has turned hostile and the examination of new witnesses suggests lack of serious efforts to progress the trial.

2.2. The petitioner is a law student and the prolonged pendency of this case is causing irreparable loss to his career. Therefore, he has sought early disposal of the trial in a time bound manner, as mandated under Section 14, *ibid*.

3. At the outset, it is pertinent to state that a Constitution Bench of the Hon'ble 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).

4. 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.

5. Having heard the learned counsel appearing on either side and upon perusal of the materials available on record and taking note of the fact that the case is pending from the year 2019, which, in the opinion of this Court, is an exceptional circumstance, this Court directs the learned Special Court for SC/ST (PoA) Act Cases, Tiruvannamalai, to complete the trial in Spl.S.C.No.106 of 2019 as expeditiously as possible, preferably, within two months, as mandated under Section 14, *ibid*.



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6. With the above directions, this Criminal Original Petition stands disposed of.

05.01.2026

Neutral Citation: Yes/No
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Note : Issue order copy on 29.01.2026.

To

1. The Special Court for SC/ST (PoA) Act Cases,
Tiruvannamalai.
2. The Inspector of Police,
Kilpennathur Police Station,
Tiruvannamalai District.
3. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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