



WEB COPY

CRL OP No. 3083 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-02-2026

CORAM

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

CRL OP No. 3083 of 2026

S.Sakthivel

..Petitioner

Vs

M.Raja Muthaiya

..Respondent

Prayer: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to direct the Judicial Magistrate No.V, Salem to dispose of the case in S.T.C.No.2167 of 2025 within a time frame to be fixed by this Court.

For Petitioner :

Mr.S.Kanmani Annamalai

ORDER

This criminal original petition has been filed by the petitioner/*de facto* complainant seeking expeditious disposal of S.T.C.No.2167 of 2025 pending on the file of the learned Judicial Magistrate No.V, Salem, within a stipulated time.

2. Heard learned counsel for the petitioner and perused the materials available on record.

3. 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).

4. Considering the fact that the case is of the year 2025 and also considering the aforesaid decision of the Constitution Bench of the Hon'ble Supreme Court, this Court finds no exceptional circumstance warranting issuance of a direction for a speedy disposal of the case in STC No.2167 of 2025. Therefore, the present Criminal Original Petitions stands dismissed. However, the learned Judicial Magistrate V, Salem, is directed to follow the mandate of Section 143(2) (3) of the Negotiable Instruments Act, 1881.

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Neutral Citation: Yes/No

SRM



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To

The Judicial Magistrate V,
Salem.

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A.D.JAGADISH CHANDIRA, J.

SRM

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