



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED: 21.02.2022

CORAM:

THE HONOURABLE MR. JUSTICE **G.K. ILANTHIRAIYAN**  
Crl.O.P.(MD) No.3524 of 2022

WEB COPY

1. S. Balamurugan @ Balu
2. K. Maruthupandi ...Petitioners/Accused Nos.1 & 2

Vs.

1. The Deputy Superintendent of Police  
Nilakottai  
Dindigul District
2. The Inspector of Police  
Nilakottai Police Station  
Dindigul District ... 1<sup>st</sup> & 2<sup>nd</sup> Respondents / Complainants
3. M.Lakshmanan ... 3<sup>rd</sup> Respondent / Defacto complainant

**PRAYER:** Criminal Original Petition filed under Section 482 Cr.P.C. praying to to call for the records in Spl. SC No.66 of 2019 on the file of Special Court for the exclusive trial of SC and ST cases, Dindigul and quash the same.

For Petitioners : M/s.Feroz Khan A

For Respondents : Mr.R.M.Anbunithi  
No.1 & 2 Additional Public Prosecutor(Crl Side)

For Respondent : Mr. A.Sivasubramanian  
No.3

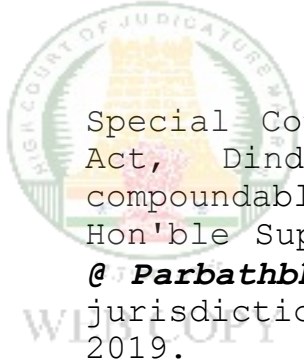
### ORDER

The Criminal Original Petition has been filed to quash the proceedings in Spl. SC No.66 of 2019 on the file of Special Court for the exclusive trial of cases under SC and ST Act, Dindigul.

**2.**The case is under trial. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

**3.**A Joint Memo of Compromise has been filed before this Court which has been signed by the petitioners and the third respondent and also by their respective counsel.

**4.** Under such circumstances, no useful purpose will be served in keeping the proceedings in Spl. SC No.66 of 2019 on the file of



Special Court for the exclusive trial of cases under SC and ST Act, Dindigul even though, the offences involved are not compoundable in nature. In the light of the guidelines given by the Hon'ble Supreme Court reported in **2017 9 SCC 641-(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrat)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the Spl. SC No.66 of 2019.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl. SC No.66 of 2019 on the file of Special Court for the exclusive trial of cases under SC and ST Act, Dindigul is quashed on condition that the petitioners shall return the compensation amount received as compensation, failing which the quashing of the case shall stand dismissed automatically and the trial Court is directed to proceed with the trial. The terms of Joint Memo of Compromise shall form part and parcel of this order. The petitioners shall pay a sum of Rs.5,000/- (Rupees Five Thousand only) as costs, to the District Siddha Medical Officer, CCRI, Periyakulam in State Bank of India, Periyakulam Branch bearing Account No.10767823177, IFSC No.SBIN000898, MICR Code No.625002601, on or before 28.02.2022 and produce the receipt before the concerned Court, failing which the order shall stand dismissed automatically without any further reference to this Court.

Sd/-

Assistant Registrar(AD-II)

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/ /2022

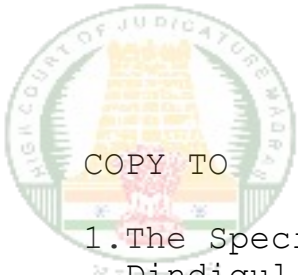
Sub Assistant Registrar(CS)

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ENCL.: XEROX COPY OF JOINT COMPROMISE MEMO.

To

1. The Deputy Superintendent of Police  
Nilakottai  
Dindigul District
2. The Inspector of Police  
Nilakottai Police Station  
Dindigul District
3. The Additional Public Prosecutor  
Madurai Bench of Madras High Court



COPY TO

1.The Special Court for the exclusive trail of SC and ST cases,  
Dindigul

2.The District Siddha Medical Officer,  
CCRI, Periyakulam, Theni District.

+1 CC to M/s.A.FEROZ KHAN, Advocate ( SR-7353[F] dated 21/02/2022 )

Cr1.O.P.(MD) No.3524 of 2022  
21.02.2022

ks (CO)

TR(23.02.2022) 3P 7C