



CrI.O.P.No.9073 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CrI.O.P.No.9073 of 2025

Marimuthu @ Muthu @ Nellai Muthu

.... Petitioner

Vs

1. The State Rep by
Deputy Superintendent of Police,
Kinathukadavu Police Station,
Coimbatore District.
Crime No.45 of 2017.

2. The State Rep by
Inspector of Police,
Kinathukadavu Police Station,
Coimbatore.

3. Moorthy

.... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 Cr.P.C./528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records pertaining to Spl.S.C.No.25 of 2023 on the file of the Special Court for exclusive trial of the cases under SC/ST (POA) Act, Coimbatore and quash the same, by allowing this Criminal Original Petition.



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For Petitioner : Mr.C.Iyyappa Raj
For R1 & R2 : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed to quash the Spl.S.C.No.25 of 2023 on the file of the Special Court for exclusive trial of the cases under SC/ST (POA) Act, Coimbatore, thereby taken cognizance for the offences under Sections 294(b), 324, 506(ii) and 307 of IPC and Section 3(1)(r), 3(1)(s), 3(2)(va) of SC/ST (POA) Amendment Act 2015.

2. Pending this petition, 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 petitioner and the defacto complainant and also by their respective counsel. The second respondent is present and identified by his counsel and the Police. They have also produced the copies of the Aadhaar Card are made part of the record. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.



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4. Under such circumstances, no useful purpose will be served

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in keeping the proceeding pending, 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 Gujrath)**, this Court in exercise of its jurisdiction under Section 528 of BNSS, 2023, quashes the proceeding in C.C.No.94 of 2021 pending trial on the file of the District Munsif Cum Judicial Magistrate Court, Vanur, Villupuram District.

5. In view of the above, the proceedings in Spl.S.C.No.25 of 2023 pending trial on the file of the Special Court for Exclusive Trial of the cases under SC/ST (POA) Act, Coimbatore, is hereby quashed as against the petitioner. The terms of Joint Memo of Compromise shall form part and parcel of this Order. The petitioner shall pay a sum of Rs.5,000/-, (Rupees Five Thousand only) as costs, to the Chief Justice Relief Fund, Tamil Nadu, forthwith and file a photocopy of the receipt along with a memo reporting compliance in the Registry.



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6. Accordingly, the Criminal Original Petition stands allowed.

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Consequently, connected miscellaneous petition is closed.

25.03.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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To

1. The Special Court for exclusive trial of the cases under
SC/ST (POA) Act, Coimbatore

2. The Deputy Superintendent of Police,
Kinathukadavu Police Station,
Coimbatore District.
Crime No.45 of 2017.

3. The Inspector of Police,
Kinathukadavu Police Station,
Coimbatore.

4. The Public Prosecutor,
Madras High Court,
Chennai.



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G.K.ILANTHIRAIYAN, J.

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