



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-09-2025

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THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 26719 of 2025

1. T.Meenakshisundaram
S/o.Thiagarajan, No.2/311, 6th Cross,
HRHK Nagar, Mangalam Road,
Periyandipalayam Pirivu,
Aandiapalayam, Tiruppur District.

Petitioner(s)

Vs

1. The State Rep by, The Assistant
Commissioner of Police,
Nallur Range, Nallur, Tiruppur District.

2.Rangarajan @ Ranganathan
S/o.Mahaliyappan, Residing at No.4,
Indira Nagar, 2nd Street, Veerapandi,
Palladam Road, Tiruppur.

Respondent(s)

PRAYER : Criminal Original Petition filed under section 528 of BNSS to call for the records relating to the Spl.SC No.11/2025 pending trial on the file of the Special Court for Trial of Cases under SC/ST (POA) Act and to quash the same in so far as the petitioner, in view on the joint memorandum of compromise dated 23.09.2025.



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For Petitioner(s): Mr.V.Karthik, Senior Counsel
for Mr.Adithya Varadarajan

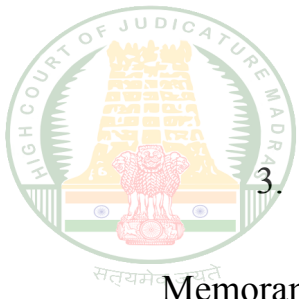
For Respondent(s): Mr.R.Vinodh Raja,
Government Advocate [Crl.Side] – R1

Mr.R.Prabakar – R2

ORDER

This Criminal Original Petition has been filed to quash the final report filed in the Spl.SC No.11/2025 pending trial on the file of the Special Court for Trial of Cases under SC/ST (POA) Act for the offences under sections 329 [3] BNS read with Section 3 [2] [va], Section 3[1] [g] of SC/ST [PoA] Act read with Section 49 of BNS in view on the joint memorandum of compromise dated 23.09.2025.

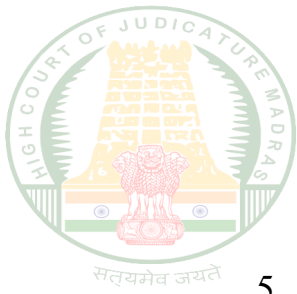
2. The petitioner is arrayed as the second accused in this case. The case of the prosecution is that the petitioner knowing that there is dispute regarding the property and well aware that the second respondent is the absolute owner of the property, had executed a power of attorney in favour of the first accused and the first accused along with other accused went to the property with JCB and damaged the property and placed a board in the property.



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3. The petitioner along with the second respondent had filed Joint Memorandum of Compromise wherein it has been stated that the second respondent had received the original title deed of the property from the petitioner and they have no claims against each other and waive off all the future claims against each other, including monetary claims and the second respondent has no objection to quash the trial as against the petitioner alone pending in Spl.S.C.No.11 of 2025 on the file of the Special Court for Trial of Cases under SC/ST (POA) Act, Tiruppur.

4. The Defacto Complainant is also present before this Court at the time of hearing and he had been identified by his counsel and Mr.C.Pandian, SSI, Nallur P.S., Tiruppur City. This Court enquired the defacto complainant and he had stated that they had amicably settled the dispute between themselves and he is not willing to proceed with the the criminal proceedings as against the petitioner and seeks to quash the same.



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5. The learned Additional Public Prosecutor appearing on behalf of the first respondent submitted that though the parties entered into a compromise while this case is pending, this Court, taking into account the seriousness of the offence has to consider the issue as to whether an offence of this nature can be quashed on the ground of compromise between parties.

6. The main issue that requires the consideration of this Court is as to whether this Court can quash the criminal proceedings involving non-compoundable offences pending against the petitioner. The Hon'ble Supreme Court in the case of *Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrat*, reported in *2017 9 SCC 641* and in case of *The State of Madhya Pradesh Vs. Dhruv Gurjar and Another* reported in *(2019) 2 MLJ Crl 10*, has given sufficient guidelines that must be taken into consideration by this Court while exercising its jurisdiction under Section 482 of Cr.P.C, to quash non-compoundable offences. One very important test that has been laid down is that the Court must necessarily examine if the crime in question is purely individual

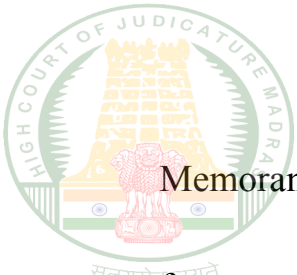


in nature or a crime against the society with overriding public interest. The

Hon'ble Supreme Court has held that offences against the society with overriding public interest even if it gets settled between the parties, cannot be quashed by this Court.

7. In the present case, the offence in question are purely individual/personal in nature. It involves dispute between the petitioners and the defacto complainant and quashing the proceedings, will not affect any overriding public interest in this case and no useful purpose will be served in continuing with the criminal proceedings. In view of the above, this Court is inclined to quash the Final Report filed in the case in Spl.S.C.No.11 of 2025 on the file of the Special Court for Trial of Cases under SC/ST (POA) Act as against the petitioner in exercise of its jurisdiction under Section 482 of Cr.P.C..

8. Accordingly, this Criminal Original Petition is allowed and the case in Spl.S.C.No.11 of 2025 on the file of the Special Court for Trial of Cases under SC/ST (POA) Act, Tiruppur as against the petitioner is quashed. The Joint



Memorandum of Compromise filed by the petitioner and the second respondent

for compromising the offences shall form part of the records.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Sessions Judge,
Special Court for Trial of Cases under SC/ST (POA) Act
Tiruppur.
2. The Assistant Commissioner of Police,
Nallur Range, Nallur, Tiruppur District.
3. The Public Prosecutor,
High Court, Madras.



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N.SATHISH KUMAR J.

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