



*Crl.O.P.(MD)No.1176 of 2025*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.01.2025

CORAM

**THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR**

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1.Veeranan  
2.Mahendran

... Petitioners

Vs.

1.The Deputy Superintendent of Police,  
Usilampatti, Madurai District.  
Crime No.445 of 2024

2.The Inspector of Police,  
Usilampatti Town Police Station,  
Madurai District.  
Crime No.445 of 2024

3.Raman

... Respondents

**PRAYER :** Criminal Original Petition filed under Section 528 of BNSS, to call for the records relating to the FIR registered in Crime No.445 of 2024 pending on the file of the second respondent police and quash the same as the matter is amicably settled between the parties.

For Petitioners : Mr.J.Karthikeyan

For R1 & R2 : Mr.K.Sanjai Gandhi  
Government Advocate(Crl.Side)

For R3 : Mr.R.Ramanujam



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**ORDER**

**WEB COPY** The Criminal Original Petition has been filed to quash the First Information Report in Crime No.445 of 2024 on the file of the second respondent Police.

2. The case of the prosecution is that the defacto complainant was allotted a house under Government Scheme. Thereafter, due to poverty, the defacto complainant shifted to Solapur, Maharashtra seeking for occupation. At that time, he handed over his house to one Veeranan/A1 in order to maintain his house. When the defacto complainant come back his native, the said Veeranan said to have handed over the possession of house to one Dhanraj. When the same was questioned by the defacto complainant, the said Veeranan demanded money to hand over the house. The defacto complainant also paid amount. But, Veeranan did not turn up, on the other hand, the petitioners abused him with caste name and threatened. Hence, the complaint.

3. When the matter is taken up for hearing today, the learned counsel appearing for the petitioners would submit that the third respondent has lodged a complaint before the second respondent Police



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and on that basis, F.I.R. came to be registered in Crime No.445 of 2024, dated 22.10.2024 for the offences under Sections 329(4), 296(b) and 351(2) of BNS Act and Sections 3(1)(r), 3(1)(s) and 3(1)(z) of Schedule Caste and Scheduled Tribes (POA) Act, against the petitioners.

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

5. A Joint Memo of Compromise, dated 07.01.2025, has been filed before this Court, which has been signed by the petitioners and the third respondent and also by their respective counsel. The petitioners and the third respondent were also present in person before this Court and they were identified by Mr.P.Ramakrishnan, SSI of Police, Usilampatti Town Police Station, Madurai District, as well as by the learned counsels appearing for the parties. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves. It is also submitted that compensation has not been received.



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6. In the instant case, where the parties have compromised the matter, the High Court has power to quash the complaint for the offences under Sections 329(4), 296(b) and 351(2) of BNS Act and Sections 3(1)(r), 3(1)(s) and 3(1)(z) of Schedule Caste and Scheduled Tribes (POA) Act.

7. The legal position expressed by the Hon'ble Apex Court in the case of *Gian Singh vs. State of Punjab and another* reported in *(2012)10 SCC 303* and *Parbatbhai Aahir @ Parbatbhai Vs. State of Gujarat* reported in *(2017) 9 SCC 641* were taken into consideration.

8. In the light of the guidelines issued in the above said Judgments of the Hon'ble Apex Court, no useful purpose will be served in keeping the proceedings in Crime No.445 of 2024, pending before the second respondent Police, even though, the offences involved are not compoundable in nature.

9. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.445 of 2024, on the file of the



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second respondent Police, is quashed and the terms of joint compromise

memo dated 07.01.2025, shall form part and parcel of this order.

**23.01.2025**

NCC : Yes / No

Index : Yes / No

*Rmk*

To

- 1.The Deputy Superintendent of Police,  
Usilampatti, Madurai District.  
Crime No.445 of 2024
- 2.The Inspector of Police,  
Usilampatti Town Police Station,  
Madurai District.
- 3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**M.NIRMAL KUMAR, J.**

*Rmk*

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