



Crl.O.P.(MD)No.2029 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.01.2025

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THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.2029 of 2025

1. Vinayagam

2. Ramani @ Ramanan

3. Ramanathan

4. Gowtham

... Petitioners

Vs

1. The State of Tamil Nadu rep by
The Deputy Superintendent of Police,
Thiruvadanai Division,
Ramanathapuram District.

2. The Inspector of Police,
S.P Pattinam Police Station,
Ramanathapuram District.
Crime No.65/2024.

3. Boomiraj

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS,
To call for the records pertaining to Spl. S.C.No. 25 of 2024 by the Special
Court for Exclusive Trial of Cases Registered under SC/ST (POA) Act,
Ramanathapuram, and quash the same.



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For Petitioner : Dr.D.Venkatesh
For Respondents 1 : Mr.K.Sanjai Gandhi
Government Advocate
(Criminal Side)
For Respondents 2 : Mr.T.Lenin Kumar

ORDER

This Criminal Original Petition has been filed, invoking Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to quash the charge sheet in Spl.S.C.No.25 of 2024 on the file of the Special Court for Exclusive Trial of Cases Registered under SC/ST (POA) Act, Ramanathapuram.

2. The case of the prosecution is that on 09.05.2024, the accused persons have waylaid the defacto complainant, pushed him down from his vehicle, abused and attacked the defacto complainant, by mentioning his caste name. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the third respondent lodged a complaint before the second respondent and an FIR has been registered in Crime No.65 of 2024. After investigation, a final report has been filed and the same was taken



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cognizance in Spl.S.C.No.25 of 2024 on the file of the Special Court for Exclusive Trial of Cases Registered under SC/ST (POA) Act, Ramanathapuram, for the offences under Sections 341, 294(b), 323, 324, 506(ii) IPC and Sections 3(1)(r), 3(1)(s), 3(2)(va) of SC/ST (POA) Amendment Act, 2015, against the petitioners.

4. The case is under trial. By passage of time, the parties have decided to bury their hatchet and compromised the dispute amicably among themselves, for the reason that sudden wordy quarrel led to exchange of blows, it was not a premeditated attack and both parties contributed to the happenings. Now, both realized their mistakes, reconciled and third respondent is agreeing to withdraw the complaint and is not willing to pursue the case.

5. A Joint Memo of Compromise dated 30.01.2025 is filed before this Court signed by the petitioners and the third respondent and their respective counsels. The petitioners and the third respondent are present before this Court, identified by Mr.N.La;eeswaram, Special Sub Inspector of Police, S.P.Pattinam Police Station, Ramanathapuram District, as well as by the learned counsels appearing for the parties. This



Court enquired both the parties and satisfied that the parties have come to an amicable settlement between themselves on their own voluntarily without any compulsion.

6. In the instant case, the dispute is of personal in nature arisen out of wordy quarrel and the sudden quarrel led to exchange of blows and the parties had compromised. The defacto complainant has not received any compensation amount from the Government. When the parties have compromised the matter, the High Court has the power to quash the complaint for the offence under Sections 341, 294(b), 323, 324, 506(ii) IPC and Sections 3(1)(r), 3(1)(s), 3(2)(va) of SC/ST (POA) Amendment Act, 2015.

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* was 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



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keeping the proceedings in Spl.S.C.No.25 of 2024 as against the petitioners pending before the Special Court for Exclusive Trial of Cases Registered under SC/ST (POA) Act, Ramanathapuram, even though the offences involved are not compoundable in nature.

9. Accordingly, this Criminal Original Petition is allowed and the proceedings in Spl.S.C.No.25 of 2024, on the file of the Special Court for Exclusive Trial of Cases Registered under SC/ST (POA) Act, Ramanathapuram, is quashed as against the petitioners and the joint compromise memo shall form part and parcel of this order.

31.01.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
PNM



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To

1.The Sessions Judge,
Special Court for Exclusive Trial of Cases Registered
under SC/ST (POA) Act, Ramanathapuram

2.The Deputy Superintendent of Police,
Thiruvadanai Division,
Ramanathapuram District.

3. The Inspector of Police,
S.P Pattinam Police Station,
Ramanathapuram District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR,J.

PNM

ORDER IN
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