



Crl.O.P.No.3275 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.02.2026

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.3275 of 2026

and

Crl.M.P.No.2306 of 2026

Vetrivel

...Petitioner

Vs.

1.The State Rep. by
The Deputy Superintendent of Police,
Cuddalore District.

2.The State Rep. by
The Inspector of Police,
Sethiyathope Police Station,
Cuddalore District,
Tamilnadu.
(FIR No.210 of 2019)

3.Sumathi

...Respondents

Criminal Original Petition filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita/Section 482 Cr.P.C., to call for the records and
quash S.C.No.60 of 2025 on the file of the Special Court for SC/ST (PoA)
Act, Cuddalore, Cuddalore District as against the petitioner.

For Petitioner : Mr.M.Ragul Kousik

For R1 & R2 : Mr.S.Santhosh
Government Advocate (Crl.Side)



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For R3

: Mr.C.Kavin Kumar

ORDER

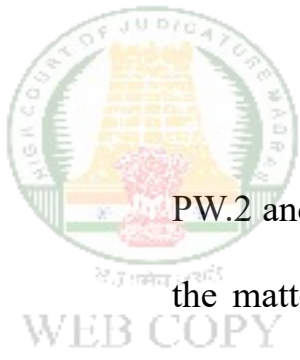
The present Criminal Original Petition has been filed seeking to quash the proceedings in S.C.No.60 of 2025 on the file the Special Court for SC/ST (PoA) Act, Cuddalore, Cuddalore District.

2. Heard both sides and perused the materials available on record.

3. The learned counsel appearing for the petitioner submitted that the petitioner is a teacher. Due to a dispute regarding non-payment of fees, the de facto complainant lodged a complaint, based on which the respondent police initially registered a case for the offence under Section 324 of IPC. Thereafter, the case was taken up for trial in C.C.No.11 of 2021 by the Judicial Magistrate No.I, Chidambaram.

4. During the course of trial, PW.1 alleged that the petitioner had abused him by referring to his caste name. In view of the allegation and on finding that the victim belongs to a scheduled community, the learned Magistrate altered the charge sheet and forwarded the case for further trial to the Special Court for SC//ST (PoA) Act. The case was taken up on file in S.C.No.60 of 2025. In the meanwhile, PW.1 passed away on 06.01.2025.

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PW.2 and PW.3 who are the wife and daughter of the PW.1, have stated that the matter has been compromised and that they have no objection to the proceedings.

5. The learned counsel appearing for the 3rd respondent submitted that the 3rd respondent, being the wife of the de facto complainant, along with her daughter, has no objection in the proceedings being quashed on the basis of the compromise entered into between the parties.

6. The petitioner and the *de facto* complainant's wife and daughter appeared before this Court and they were identified by their respective counsel as well as by Mr.A.Jayabalan, SSI, Sethiyathope Police Station, Cuddalore District.

7. On being enquired by this Court, the *de facto* complainant's wife and daughter stated that they have amicably settled the dispute with the petitioner and they are not willing to pursue the criminal proceedings and therefore, seek to quash the same.

8. Learned Government Advocate (Crl.Side) appearing on behalf of the respondents 1 and 2 submitted that though the parties have



entered into a compromise while this case is pending, this Court, taking into account the seriousness of the offences, has to consider the issue as to whether offences of this nature can be quashed on the ground of compromise between parties. He further submitted that the *de facto* complainant's wife and daughter have not received any compensation from the Government.

9. 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 Gujarat***, reported in (2017) 9 SCC 641, has given sufficient guidelines that must be taken into consideration by this Court while exercising its jurisdiction under Section 482 of Cr.P.C. (corresponding to Section 528 BNSS), 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 they get settled between the parties, cannot be quashed by this Court.



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10. In the present case, the offences in question are purely individual/personal in nature. It involves dispute between the petitioner and the de facto 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 proceedings in S.C.No.60 of 2025 pending on the file of the Special Court for SC/ST (PoA) Act, Cuddalore, Cuddalore District, in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 BNSS.

11. Accordingly, this Criminal Original Petition stands disposed of. Consequently, the connected Criminal Miscellaneous Petition is closed. The proceedings in S.C.No.60 of 2025 pending on the file of the Special Court for SC/ST (PoA) Act, Cuddalore, Cuddalore District is quashed as against the petitioner.

12. The affidavits and the Joint Memo of Compromise filed by the petitioners and the second respondent for compromising the offences shall form part of the records.

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rpl

Neutral Citation: Yes/No

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To

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- 1.The Special Court for SC/ST (PoA) Act, Cuddalore, Cuddalore District
- 2.The Deputy Superintendent of Police,
Cuddalore District.
- 3.The Inspector of Police,
Sethiyathope Police Station,
Cuddalore District,
Tamilnadu.
- 4.The Public Prosecutor,
High Court of Madras,
Chennai.



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A.D.JAGADISH CHANDIRA, J.

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