



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-06-2026

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THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

Crl.O.P.No.34292 of 2025 and
Crl.M.P.No.24022 of 2025

Devaki
W/o.Jaganathan,
No. 124, Nehru Colony,
Mahalingapuram,
Pollachi 642 002.

... Petitioner(s)

Vs

1. The Superintendent of Police
Coimbatore Rural,
Coimbatore.
2. The Inspector of Police
Pollachi West Police Station,
Pollachi,
Coimbatore.
3. Manikkaraj
D.No. 121, Nandhanar Colony,
Palladam Road,
Pollachi- 642 002.
Crime No. 619/2023.

..Respondent(s)

To call for the entire records concerned in Charge Sheet in Spl.S.C.No. 30/2025 on the file of the District and Sessions Court/Special Court for Trial cases under SC/ST Act (POA) Coimbatore and quash the same in so far relates to the petitioner.



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For Petitioner(s):

Mr.A.Kumaraguru for Mr.R.Hemalatha

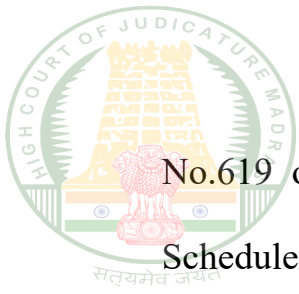
For Respondent(s):

Mr.R.Rajasekaran,
Government Advocate (Crl. Side) for R1 and R2
Mr.M.Subash for Mr.B.Mohan for R3

ORDER

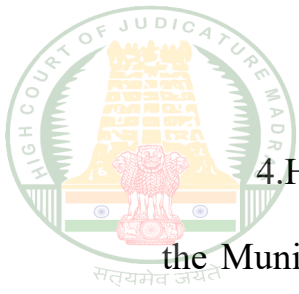
The petitioner/accused facing trial in Special S.C.No.30 of 2025 for offence under Sections 3(1)(r) and 3(1)(s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 before the learned District and Sessions Court/Special Court for Trial Cases under SC/ST (POA), Coimbatore, filed this Quash Petition.

2.Case of the prosecution is that the petitioner and the 3rd respondent/victim are Councilors of Pollachi Municipality. On 30.11.2023 at about 04.30 p.m., under the head of the Chairman of Pollachi Municipality, a Municipal Committee Meeting held. At that time, several resolutions passed. The petitioner, an independent member, raised objection, and there was total pandemonium during the Municipal Committee Meeting. The petitioner came out from the meeting and, referring to the 3rd respondent/victim, in the presence of LW2/Nachimuthu, LW3/Uma Mageshwari, LW4/Saritha, LW5/Fathima, and LW6/Kavitha, who are also Councilors, used abusive and prohibited words, calling the 3rd respondent by her caste name, and addressed the press, which was widely telecast. On the complaint of the 3rd respondent/victim, FIR in Crime



No.619 of 2023 for the offences under Sections 3(1)(r) and 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015, registered against the petitioner. After obtaining authorisation, investigation conducted and charge sheet filed, listing 20 witnesses and documents.

3.Learned counsel for the petitioner submitted that the petitioner is the 5th Ward Councilor in Pollachi Municipality and she elected in the year 2022. The majority of the Councilors are from the DMK party and the Chairman is from the DMK party. All the ruling party Councilors ganged up together and, without any debate, passed the resolutions in one go, which opposed by the petitioner, and she was shouted down. Further, the petitioner's son, Krishnakumar, filed several Public Interest Litigations before this Court to remove and demolish the illegal constructions and encroachments made in Pollachi Municipality, which irked DMK party, since the affected persons all belonged to the then ruling party. The petitioner's son was taking action against the encroachers and illegal building constructions and not against any particular community or caste people, and it is against all encroachers, including the petitioner's community. To stop the petitioner's son from taking such action and deter him from filing any further case against the encroachers, the 3rd respondent was used and false case projected.



4.He further submitted that the petitioner, while coming out from one of the Municipal Committee meeting, in an agitated manner, addressed the press using some harsh words, which wrongly interpreted and given colour, and the case registered. Some of the members sided with the 3rd respondent, hence, the petitioner implicated in this case. He further submitted that, during the pendency of this petition, the petitioner and the 3rd respondent settled the issues and arrived at a compromise, and both filed affidavits to that effect.

5.Learned Government Advocate (Crl. Side) appearing for the respondents 1 and 2 submitted that the 3rd respondent belongs to the Scheduled Caste community and the petitioner belongs to the Backward Class community. The petitioner was very much against the 3rd respondent and the other members of the Municipal Committee and used abusive and aggressive words against them. Despite several warnings and deterrents, she continued to do so. She acted at the behest of her son and abused them. Further, the 3rd respondent belongs to the most depressed community and is mainly doing scavenging work and has a small inch of land. In the guise of removing the encroachment, the 3rd respondent's property and habitat also included, and orders obtained and attempts made to forcibly evict them. In such background, after coming out of one of the meetings, the petitioner used abusive and prohibited words and called the other members in a derogatory manner, more particularly, the 3rd respondent by her caste name, and she also addressed the press, which was widely telecast.



On registration of the FIR, investigation completed and statements of witnesses, including co-councilors and others, recorded. On completion of the investigation, the charge sheet filed before the trial Court.

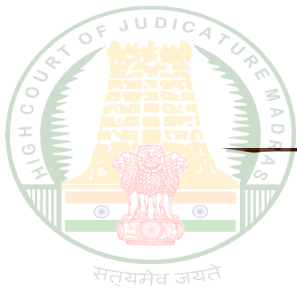
6.He further submitted that, during the investigation, the petitioner filed quash petition in Crl.O.P.No.27713 of 2023 before this Court, and this Court, by order dated 21.02.2025, dismissed the quash application and directed the investigation to be completed and a final report to be filed within a period of 12 weeks. Aggrieved over the same, the petitioner filed appeal before the Hon'ble Apex Court in S.L.A.(Crl.)No.3098 of 2025, and the Hon'ble Apex Court granted protection to the petitioner. Thereafter, on the subsequent hearing on 14.11.2025, the Apex Court disposed of the appeal, directing Crl.O.P.No.34292 of 2025 to be disposed of on or before 30.06.2026. In the meantime, the petitioner and the 3rd respondent settled the issue and arrived at a compromise.

7.Learned counsel for the 3rd respondent/victim submitted that it was the habit of the petitioner to use abusive words and she was also non-cooperative in the Councilor meetings and always made objections against the habitat of the Arunthathiyar community people, which stoutly opposed by the 3rd respondent. Using her son, the petitioner used to file cases in the name of Public Interest Litigation and obtain orders and wrongly included the habitat of the depressed community people in the encroachment list and forced the Municipal



Corporation to evict them from the habitat. He fairly submitted that the petitioner came forward, showed her remorse and also apologised for the incident that took place on 30.11.2023. Hence, the 3rd respondent, forgetting about the past and to take life forward, agreed to compromise the issue with the petitioner.

8.Considering the submissions and on perusal of the materials, it is seen that on 30.11.2023, the petitioner, while coming out from one of the Municipal Committee meeting, in an agitated manner addressed the press using some harsh words against the 3rd respondent. Hence, FIR registered, investigating completed and charge sheet filed. On 24.06.2026, both the petitioner and the 3rd respondent appeared before this Court, had interaction and they forgot the past and were willing to move forward and amicably resolved the issue. The petitioner expressed her apology and the 3rd respondent accepted the same, and he is not inclined to further proceed with the complaint. This Court had given time for a day. On the next day, i.e., 25.06.2026, again the parties appeared and reconfirmed the compromise arrived at between them and also filed affidavits before this Court. Scanned reproduction of the same are as follows:



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MEMORANDUM OF CRIMINAL ORIGINAL PETITION
(Under Section 528 of BNSS)
IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Crl.O.P.No. 34292 of 2025

In

Spl.S.C.No.30 of 2025

(On the file of the Special Court for Trial Cases under SC/ST (POA)
Act, Coimbatore)

Devaki, F/65,
Wife of Jaganathan,
No. 124, Nehru Colony,
Mahalingapuram,
Pollachi – 642002.

...Petitioner/ Accused

Vs

1. The Superintendent of Police,
Coimbatore Rural, Coimbatore.

2. The Inspector of Police,
Pollachi west police station,
Pollachi, Coimbatore.

...Respondent/Complainant

3. Manikkaraj,
D.No.121, Nandhanar Colony,
Palladam road,
Pollachi- 642002.
(Crime No.619/2023)

...Respondent/Defacto Complainant

AFFIDAVIT FILED BY THE PETITIONER

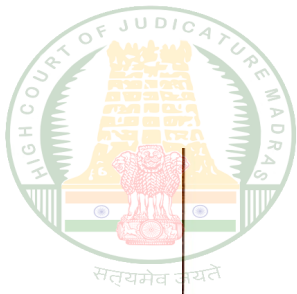
I, Devaki, Wife of Jaganathan, Hindu aged about 65 years,
residing at No. 124, Nehru Colony, Mahalingapuram, Pollachi –
642002, now temporarily come down to Chennai, do hereby solemnly
affirm and sincerely state as follows:

1. I am the petitioner herein and as such I am well acquainted with
the facts of the case.

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fil

x J. Devaki.



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2. I submit that I am 5th ward councilor in Pollachi municipality, and I was elected to the office vide local elections conducted in the year 2022 and I had contested and won as an independent candidate without any affiliations to any political parties and I am the only independent candidate elected as Ward Member in the said election.

3. I submit that on 30.11.2023, there was a Pollachi Municipal Committee Meeting held under the head of Chairman I attended a municipal meeting which was called for. But, in the meeting, without any discussion all resolutions were considered to have been passed. I had raised objection as against such procedure being adopted. Where the majority had started shouting to drown out my voice of objection, as the chairman had refused to relent. Due to which I became upset and frustrated.

4. I submit that in the heat of the moment and due to the disappointment and frustration caused by the said circumstances, I uttered certain inappropriate words. I respectfully submit that the words used by me were not directed against or intended to target any specific individual or member of the Pollachi Municipal Committee. The expressions were made generally and impulsively, without any intention to insult, threaten, defame, or demean any particular person and I was never aware of the castes of any members of Pollachi Municipality.

5. I sincerely regret the use of such language and acknowledge that my words may have been misunderstood or may have caused hurt or

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x J. Devabi.



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discomfort to those who were present. If 3rd Respondent has felt offended, aggrieved, or hurt by my words or conduct, I hereby tender my unconditional apology and express my heartfelt remorse. My son Mr. J. Krishna Kumar filed Contempt Petition No 1300/2022 which is pending before this Hon'ble High Court. I under take I will advise my son not to pursue a Contempt Petition which would affect the habitat of Arunthathiyar Community people.

6. I further state that I hold no ill will or grievance against any person concerned and assure that such an incident will not be repeated in the future. I undertake to maintain proper decorum and respectful conduct in all future interactions.

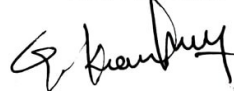
7. I request this Hon'ble Court may be pleased to accept my unconditional apology without prejudice to the trial pending in Spl.S.C.No.30 of 2025 on the file of the District and Sessions Court/Special Court for Trial Cases under SC/ST Act (POA), Coimbatore.

Therefore, it is prayed that this Hon'ble Court may be pleased to accept the affidavit filed by me and pass such other or orders may be deem fit and proper in the circumstance of the case thus render justice.

Solemnly affirm at Chennai }
this the 24th day of June, }
2026 and the contents of }
affidavit having been read }
over and explained in Tamil }
to the deponent who being }
unacquainted with English }
having understood the same }
and signed his name in my }
presence. }

x J. Devaki .

BEFORE ME

 - 24/6/2021

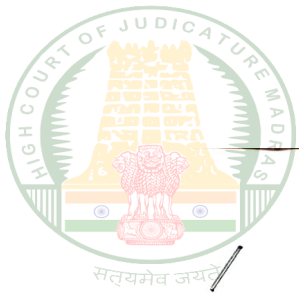
ADVOCATE, CHENNAI

G. KARUNAKARAN.

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Chamber, High Court
Building - Chennai - 600 009

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Crl.O.P.No. 34292 of 2025

In

Spl.S.C No. 30 of 2025

(On the file of the District and Sessions Court/Special Court
for Trial Cases under SC/ST Act (POA); Coimbatore)

Devaki,
Aged about 65 years,
Wife of Jaganathan,
No.124, Nehru Colony,
Mahalingapuram,
Pollachi - 642 002.

..... Petitioner/Accused

-Vs-

1. The Superintendent of Police,
Coimbatore Rural, Coimbatore.
2. The Inspector of Police,
Pollachi west police station,
Pollachi, Coimbatore.

.... Respondents/Complainants

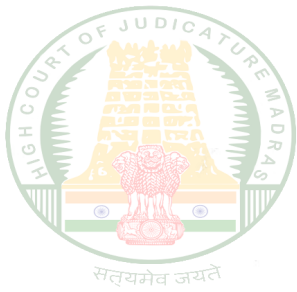
3. Manikkaraj,
D.No.121, Nandhanar Colony,
Palladam road,
Pollachi - 642 002.
(Crime No.619/2023)

..... Respondent/Defacto Complainant

AFFIDAVIT OF THE 3rd RESPONDENT

I, M. Manikkaraj, Male aged about 55 years, residing at D.No.121, Nandhanar Colony, Palladam road, Pollachi - 642 002 temporarily came down to Chennai and do hereby solemnly affirm and sincerely states as follows:

1. I state that I am the Respondent No.3 and the Defacto complainant/victim in the above criminal case.



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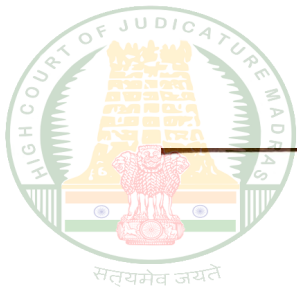


2. I state that I have received a copy of the unconditional apology tendered by the petitioner for using abusive words against me.

3. I state that I am also aware that the petitioner has given an undertaking to request her son not to interfere with or precipitate the issues relating to the possession and enjoyment of the land belonging to the members of the Scheduled Caste (Arunthathiyar) community in the neighbourhood. It is also her undertaking that she or her family members will not continue any animosity against the members of the Scheduled Caste (Arunthathiyar) community and my community members in future.

4. I state that I am advised to state that the very purpose of a criminal trial is ultimately to reform and bring about harmony among all communities for peaceful living in the neighbourhood.

5. I state that, in view of the unconditional apology and the undertaking given by the petitioner, and with a view to bringing harmony to the dispute between the petitioner and the community members in a spirit of goodwill and with benevolent intention, I accept her unconditional apology and give her an opportunity to correct herself in future. I am willing to cooperate in settling the issue by accepting her apology.



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For the reasons stated above, it is most respectfully prayed that this Hon'ble Court may be pleased to take on record my acceptance of the unconditional apology and pass appropriate orders in the interest of justice.

Solemnly affirmed at Chennai on this the 25th day of June, 2026 explained in Tamil signed his name in my presence

BEFORE ME
ADVOCATE: CHENNAI

9.Ms.M.Meenapriya, Inspector of Police attached to the 2nd respondent Police Station appeared before this Court and confirmed the compromise arrived between the parties.

10.Under such circumstances, no useful purpose will be served in keeping the proceedings 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)**, and after exercising due caution as advised by the Hon'ble Apex Court in **The State of Madhya Pradesh v. Dhruv Gurjar and Another** reported in **(2019) 2 MLJ Crl 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C., is inclined to quash the proceedings.



11. This Criminal Original Petition stands allowed and the proceedings in Special S.C.No.30 of 2025 on the file of the District and Sessions Court/Special Court for Trial Cases under SC/ST (POA), Coimbatore is quashed against the petitioner. Consequently, connected Criminal Miscellaneous Petition is closed.

25-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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To

1. The Superintendent of Police
Coimbatore Rural,
Coimbatore.
2. The Inspector of Police,
Pollachi West Police Station,
Pollachi, Coimbatore.
3. The Public Prosecutor,
Madras High Court.



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Crl.O.P.No.34292 of 2



M.NIRMAL KUMAR, J.

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CRL.O.P.No.34292 of 2025

25-06-2026