APHC010048192019

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3521]**
(Special Original Jurisdiction)

WEDNESDAY, THE 19th DAY OF AUGUST 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL REVISION CASE NO: 186/2019

Between:

1. B.SRIKANTH, KODAVATIKALLU VILLAGE, CHANDARLAPADU MANDAL, KRISHNA DIST.

...PETITIONER

AND

1. B N V PRASAD ALIAS PRASAD, KODAVATIKALLU VILLAGE, CHANDRALAPADU MANDAL, KRISHNA DIST.
2. BANDI VENKATA SUBBAMMA ALIAS SUBBAMMA, KADAVATIKALLU VILLAGE, CHANDRALAPADU MANDAL, KRISHNA DIST.
3. THE STATE OF ANDHRA PRADESH, REP. BY ITS PUBLIC PROSECUTOR, HIGH COURT OF A.P. AT AMARAVATHI.

...RESPONDENT(S):

Counsel for the Petitioner:

1. CHETLURU SREENIVAS

Counsel for the Respondent(S):

1. P PRABHAKAR RAO
2. PUBLIC PROSECUTOR (AP)

The Court made the following:

ORDER:

Criminal Revision Case has been preferred under Section 397 and 401 of Code of Criminal Procedure, 1973 (for brevity 'the Cr.P.C.,') challenging the judgment dated 20.12.2018 in Crl.A.No.323 of 2016 on the file of the learned XVI Additional District & Sessions Judge, Nandigama, Krishna District, reversing the conviction and sentence dated 29.11.2016 passed in S.C.No.63 of 2016 on the file of the learned Assistant Sessions Judge, Nandigama.

2. Heard the learned Counsel for the Petitioner, the learned counsel for Respondent Nos.1 & 2 and the learned Assistant Public Prosecutor. Perused the record.

3. The learned Trial Court, *vide* judgment dated 29.11.2016 in S.C.No.63 of 2016, convicted Respondent Nos.1 and 2 for the offence under Section 306 of 'the I.P.C'. However, the learned Appellate Court, *vide* judgment dated 20.12.2018 in Crl.A.No.323 of 2016, reversed the findings of the learned Trial Court and acquitted Respondent Nos.1 and 2. The present Criminal Revision Casehas been filed challenging the said acquittal.

4. Sri Chetluru Sreenivas, the learned Counsel for the Petitioner submits that the Petitioner is not in touch with the office of the counsel. He further submits that the parents of the Petitioner/de-facto complainant are also not interested in prosecuting the Criminal Revision Case.

5. Mr.P.Prabhakar Rao,the learned Counsel for Respondent Nos.1 & 2 submits that the learned Appellate Court has rightly appreciated the evidence of the prosecution witnesses and correctly held that the essential ingredients of Section 306 of the Indian Penal Code, 1860 [1]are not attracted to the facts and circumstances of the case.

6. The learned counsel for the Respondent Nos.1 &2 relies upon the judgment of this Court in**Chilikuri Mariyadas v. State of A.P.,**[2] at paragraph Nos.32, 33, 34 & 35, it was held as under:

> "*32. On a careful analysis and scrutiny of the dying declaration of Chilukuri Mariyamma, it can be easily discerned that there was no instigation done by any of the Petitioners goading Chilukuri Mariyamma to commit suicide. There is no evidence that they had intentionally aided her to commit suicide. There is no evidence that the Petitioners committed abetment of suicide by criminal conspiracy. On a scrupulous examination of the facts and circumstances of the case, especially dying declaration of the deceased, there was no positive action proximate to the time of suicide on the part of the Petitioners which lead or compelled the deceased to take the extreme step of committing suicide. Therefore, the conviction under Section 306 of the I.P.C.,' sustained by the learned Trial Court and upheld by the learned Appellate Court are not valid and legally acceptable inasmuch as there. was no positive act on the part of the Petitioners to instigate or intentionally aided Chilukuri Mariyamma to commit suicide.*
> *33. None of the witnesses of the prosecution had spoken that the Petitioners had entertained a clear mens rea to cause the deceased to commit suicide. There was neither an active act of direct or indirect on the part of the Petitioners which lead the deceased to commit suicide seeing no option. Beating the deceased by the Petitioners on yester-night cannot be presumable that they intended to push the deceased into such position that she should commit suicide. As the Petitioners suspected the fidelity of the deceased, they beat her yester-night of the death of Chilukuri Mariyamma, but she had felt insulted and resorted to the extreme step.*
> *34. There was no evidence that the Petitioners instigated Chilukuri Mariyamma to commit suicide. There was no evidence to the effect*

[1] 'the I.P.C'
[2] 2025 SCC OnLine AP 2379

> *that the Petitioners either goaded or provoked or instigated or encouraged her to commit suicide. Therefore, it may not be right to hold that the Petitioners were guilty of abetment of suicide. The deceased felt insulted or humiliated as her brother-in-law and husband beat her on the pretext that she had not kept her matrimonial piousness. The action of the Petitioners is otherwise not ordinarily expected to induce similarly circumstanced person to commit suicide, the deceased was hypersensitive, as such, it would not be appropriate and proper to convict the Petitioners for abetment of suicide.*
>
> *35. The prosecution could not establish the guilty mind of the Petitioners and in furtherance of that state of mind they abetted Chilukuri Mariyamma to commit suicide. There was no visible and conspicuous presence of element of mens rea in the case. The act and words of the petitioners, however, insulting or humiliating the deceasedby stating that why should she live, as she was leading an immoral life, will not by itself constitute abetment of suicide. The words of the petitioners spoken to the deceased only once, a single instance i.e., on the preceding night of committing suicide, cannot constitute the petitioners exploiting the vulnerability of the deceased, making her feel worthless or undeserving of life, leading her to commit suicide. The persecution failed to establish that the petitioners, by their acts and their continuous course of conduct, created a situation which led Chilukuri Mariyamma to perceive no other option except committing suicide."*

7. Mr.A.Sai Rohith, the learned Assistant Public Prosecutor, adopting the submissions of Respondent Nos.1 & 2, submits that the learned Appellate Court has properly evaluated the evidence and rightly acquitted Respondent Nos.1 & 2.

8. On perusal of the record, this Court finds that the learned Appellate Court had rightly appreciated the evidence and concluded that the ingredients of Section 306 of 'the I.P.C' are not attracted. None of the prosecution witnesses have deposed that Respondent Nos.1 and 2 intentionally instigated or aided the deceased to commit suicide, and there is no material on record to

suggest such instigation or aid.There are no merits in this case.Hence, the Criminal Revision Case deserves to be dismissed.

9. Accordingly, the Criminal Revision Case is dismissed. There shall be no order as to costs.

As a sequel, interlocutory applications, if any pending, shall stand closed.

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Dr. Y. LAKSHMANA RAO, J

Dt: 19.08.2026
PRA

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THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL REVISION CASE NO: 186/2019

Date: 19.08.2026
PRA