



CNR: KAHC010123112020

NC: 2026:KHC:53934
CRL.P No. 1915 of 2020

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE H.P.SANDESH

CRIMINAL PETITION NO.1915 OF 2020

BETWEEN:

1. SMT. SUSHEELA K.A @ K.A. SUSHEELA
W/O SRI. MAHESH
AGED ABOUT 31 YEARS
PRESENTLY R/AT
C/O RAVI HUNDI HOLAMAL
CHANNAYAKANAKOTE, SIDHAPURA
KODAGU DISTRICT-571 254.

...PETITIONER

(BY SRI. GOPALAKRISHNAMURTHY C., ADVOCATE)

AND:

1. STATE BY
GONIKOPPA PS
REPRESENTED BY SPP
HIGH COURT OF KARNATAKA
BENGALURU-560 001.
2. H.R.MANI S/O LATE RANGA
AGED ABOUT 60 YEARS
R/O MAYAMUDI VILLAGE AND POST
VIRAJPET TALUK,
KODAGU DISTRICT-571 213.

...RESPONDENTS

(BY SRI. MOHAMMED AYUB ALI, ADDL. SPP FOR R1;
R2 SERVED AND UNREPRESENTED)

Digitally signed
by DEVIKA M
Location: HIGH
COURT OF
KARNATAKA



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THIS CRIMINAL PETITION IS FILED UNDER SECTION 482 OF CR.PC PRAYING TO QUASH THE ENTIRE PROCEEDINGS IN C.C.NO.811/2019 PENDING ON THE FILE OF THE CIVIL JUDGE AND JMFC, PONNAMPET, KODAGU VIDE ANNEXURE-D AS AGAINST THE PETITIONER HEREIN.

THIS PETITION COMING ON FOR ADMISSION THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE H.P.SANDESH

ORAL ORDER

Heard learned counsel for petitioner and learned Additional SPP for respondent No.1/State.

2. This Court heard the matter on the previous occasion and when the entire charge sheet was not produced, learned Additional SPP sought time to secure the entire charge sheet. However, learned counsel appearing for the petitioner brought to notice of this Court that charge sheet was filed on 11.11.2021 itself.

3. The prayer is sought in this petition to quash the entire proceedings initiated against the petitioner in



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C.C.No.811/2019 pending on the file of Civil Judge (Jr. Dn.) and JMFC Court, Ponnampet, Kodagu.

4. Learned counsel appearing for the petitioner would submit that though an allegation was made that this petitioner called and abetted the victim to commit suicide, no call detail records are secured by the police that this petitioner called the deceased. The counsel also would submit that prosecution only relies upon the statement of one C.C. Prashanth and Lakshmi, who are none other than brother of accused No.1 and mother of present petitioner and both of them have not signed their statement and no material to proceed against this petitioner, except the allegation that she was having an illicit relationship with the husband of the deceased and there is no prima facie material to proceed against the petitioner.

5. Per contra, learned Additional SPP appearing for respondent No.1/State would submit that the Investigating Officer has recorded the statement of C.C. Prashanth in the month of February and so also, the statement of mother of accused No.2 in the month of March and their statement are



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very clear regarding illicit relationship, but not collected the phone call details of the deceased and the accused No.2.

6. In reply to this argument of learned Additional SPP for respondent No.1/State, learned counsel appearing for the petitioner would submit that according to the prosecution, incident has taken place on 31.10.2018 and specific allegation is made against accused No.1 that on that day, he assaulted her. But, in order to connect the petitioner that she made phone call on the very same day, nothing is collected by the Investigating Officer and hence, there cannot be any criminal prosecution.

7. Having heard learned counsel appearing for the petitioner and learned Additional SPP appearing for the respondent No.1/State and no doubt, this petitioner is arraigned as accused No.2, allegation is made in the complaint itself that she called and abused the victim. Apart from that, there is an allegation against the accused No.1 that he assaulted her and though, in the statement of mother of the present petitioner, phone number which she was using is mentioned, the Investigating Officer has not collected any



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material with regard to this accused had called and abused the victim. No doubt, there is a proximate to cause to commit suicide, if call is made, but in the absence of prima facie material regarding call made by this petitioner to the victim on the particular day and also considering the statement of accused No.1-brother and also mother of accused No.2, there cannot be any prosecution and also having perused these statements also, even those witnesses have not signed the statements, it appears only a paperwork and table work made by the Investigating Officer during the investigation to implicate this petitioner. In the absence of prima facie material against this petitioner, question of facing trial by this petitioner does not arise. Hence, petitioner has made out a case to quash the proceedings.

8. In view of the discussion made above, I pass the following:

ORDER

- (i) The criminal petition is ***allowed.***
- (ii) The proceedings initiated against the petitioner in C.C.No.811/2019 pending on the file of Civil Judge



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(Jr. Dn.) and JMFC Court, Ponnampet, Kodagu, is
hereby quashed.

Sd/-
(H.P.SANDESH)
JUDGE

ST
List No.: 1 Sl No.: 19