



CNR: KAHC010252932019

NC: 2026:KHC:50300
CRL.P No. 6024 of 2019

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 15TH DAY OF SEPTEMBER, 2026

BEFORE

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

CRIMINAL PETITION NO.6024 OF 2019

BETWEEN:

1. SMT. NEELAVATHI
W/O SRI MAHESHA
AGED ABOUT 55 YEARS
2. SMT. SAKAMMA
W/O SRI PUTTAIAH
AGED ABOUT 50 YEARS
3. SRI MANJU
S/O SRI MAHESHA
AGED ABOUT 22 YEARS
4. SRI DINESHA
S/O SRI PUTTAIAH
AGED ABOUT 26 YEARS
5. SMT. JAYANTHI
W/O SRI JAGADEESHA
AGED ABOUT 30 YEARS
6. SRI LOKESHA
S/O SRI PUTTAIAH
AGED ABOUT 28 YEARS

Digitally signed
by DEVIKA M
Location: HIGH
COURT OF
KARNATAKA

ACCUSED NOS.1 TO 6 ARE THE
R/OF KANIVE KOPPALU VILLAGE
CHINAKURALI HOBLI



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PANDAVAPURA TALUK
MANDYA DISTRICT-571 434

...PETITIONERS

(BY SMT. DEEPA L KALLIMANI, ADVOCATE FOR
SRI BHARGAV G, ADVOCATE)

AND:

STATE OF KARNATAKA
BY PANDAVAPURA POLICE
REP. BY STATE PUBLIC PROSECUTOR
HIGH COURT BUILDING
BENGALURU-560 001

...RESPONDENT

(BY SRI MOHAMMED AYUB ALI, ADDL. SPP)

THIS CRL.P IS FILED U/S.482 OF CR.P.C PRAYING TO
QUASH THE ENTIRE PROCEEDINGS IN C.C.NO.295/2015
ARISING OUT OF CR.NO.448/2014 FOR THE OFFENCE P/U/S
176 R/W 149 OF IPC FILED BY THE PANDAVAPURA POLICE
STATION, PENDING ON THE FILE OF CIVIL JUDGE AND
J.M.F.C., PANDAVAPURA, MANDYA DISTRICT AND ETC.

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 the learned counsel appearing for the petitioners
and also the learned Additional SPP appearing for the State.



2. The prayer is sought for quashing of the entire proceedings initiated against the petitioners in C.C.No.295/2015 arising out of Crime No.No.448/2014 for the offence under Section 176 read with Section 149 of IPC.

3. Having perused Annexure-B, it discloses that the statement of CHC-164 is that he has received an anonymous letter on 11.11.2014 and the victim had committed suicide on 23.09.2014. In the complaint, the allegation is that the suicide was not reported and cremated the dead body. Based on the FIR, investigated the matter and filed the charge sheet. In the charge sheet also, same accusation is made as in the report filed by the CHC and nothing is collected during the course of investigation with regard to the mischief is concerned. The offences invoked while filing the charge sheet is under Section 176 read with Section 149 of IPC. The offence under Section 176 covers the intentional failure to give notice or information to a public servant when a person is legally bound to do so and Section 149 of IPC is with regard to the common object in doing an act along with five or more persons.



4. The counsel appearing for the petitioners would vehemently contend that the very initiation of proceedings against the petitioners is bad in law. The counsel also would vehemently contend that the petitioners are illiterates and they belong to the Scheduled Caste and earning their livelihood by doing coolie work. It is the case of the prosecution that deceased Suri has committed suicide without any abatement or whatsoever. The only allegation is that the deceased was suffering from pan-phobia (insecurity) and as a result, he has committed the suicide. The petitioners are illiterates, they have no knowledge about the legal consequences. Merely not reporting the death itself does not constitute an offence. First of all, the petitioners have lost one of their family member and they have not recovered from the shock. Such being the matter, at the instance of some persons who are inimical towards the petitioners, the respondent police have registered the case and filed the charge sheet. The allegation is also that an anonymous letter sent to the CHC. Hence, the very continuation of proceedings is bad in law and it requires interference of this Court.



5. The learned counsel for the State would submit that based on the receipt of the report filed by CHC-164, the case has been registered. The police also not disputes the fact that Suri committed the suicide on 23.09.2014. But only an allegation is that the said fact was not intimated to the police and they cremated the dead body. This report is also filed almost after 2 months and offence invoked is also under Section 176 read with Section 149 of IPC.

6. Having heard the counsel appearing for the petitioners and also the counsel appearing for the respondent, it is not the grievance of the family members of deceased Suri is that any mischief was done. The fact that he committed suicide as he was also suffering from pan phobia (insecurity) and body was also cremated and all the villagers have also participated in cremating the dead body. The report was given based on the anonymous complaint. During the course of investigation also nothing is found. The allegation which has been mentioned in the charge sheet is the replica of FIR. Having taken note of the said fact into consideration and so also when there are no grievances from the family members of



the deceased, only based on the anonymous letter, there cannot be any prosecution. Either the body was exhumed or collected any material from the Investigating Officer during the course of investigation and nothing was done except a formal registration of the FIR as well as filing of charge sheet and there is any intentional act of not giving any information. When such being the case, there is a force in the contention of the counsel appearing for the petitioners that continuation of proceeding against the petitioners is nothing but an abuse of process in the absence of any material collected by the Investigating Officer. Hence, it is a fit case to quash the proceedings initiated against the petitioners by the respondent police.

7. In view of the discussions made above, I pass the following:

ORDER

The petition is allowed.

The proceedings initiated against the petitioners in C.C.No.295/2015 arising out of Crime No.No.448/2014 for the



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offence under Section 176 read with Section 149 of IPC on the file of Civil Judge (Jr. Dn.) and JMFC Court, Pandavapura, Mandya are hereby quashed.

Sd/-
(H.P.SANDESH)
JUDGE

SN