



CNR: KAHC010568972026

NC: 2026:KHC:54313
CRL.P No. 12536 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

CRIMINAL PETITION NO. 12536 OF 2026

BETWEEN:

SURESH
S/O PALANI,
AGED ABOUT 47 YEARS,
R/AT NO.50,
AKASTIYAR KILAMETTU BEEDHI,
KALLADIKURUCHI, THIRUNALVELI,
TAMILUNADU-627416.

...PETITIONER

(BY SRI MAHENDRA G.,ADVOCATE)

AND:

1. THE POLICE SUB-INSPECTOR,
KONANKUNTE POLICE STATION,
SUBRAMANYAPURA SUB-DIVISION, BENGALURU,
REPRESENTED BY STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDING,
HIGH COURT OF KARNATAKA,
BENGALURU 560 001.
2. GEETHAPRIYA,
D/O BABU K,
AGED ABOUT 24 YEARS,
NO.2, 9TH CROSS, 4TH FLOOR.
NEW ASHA GENTS PG,
NEAR GANESH TEMPLE
KOTHANUR, JP NAGARA,
8TH PHASE,



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RAMNATH HEGDE



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BENGALURU-560078.

...RESPONDENTS

(BY SRI NAGHARISH G S, HCGP FOR R1,
SRI SHRANADEEP, ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S 482 CR.P.C (U/S 528 BNSS) BY THE ADVOCATE FOR THE PETITIONER PRAYING THAT THIS HONOURABLE COURT MAY BE PLEASED TO QUASH ENTIRE PROCEEDINGS IN CC.NO.20986/2025, PENDING BEFORE THE XXX ACJM, AT BENGALURU, FOR THE OFFENCE P/U/S 108 OF BNS, 2023 AND CONSEQUENTLY QUASH THE ENTIRE CHARGE SHEET ARISING OUT OF CR.NO.56/2025 REGISTERED BY KORAMANGALA P.S.

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

CORAM: HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

ORAL ORDER

Sri Sharanadeepa, learned counsel files vakalath on behalf of respondent No.2.

2. Registry to show his name in the cause list.

3. Heard the learned counsel appearing for the petitioner, learned HCGP for respondent No.1 and learned counsel for respondent No.2.

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4. Petition is filed to quash the proceeding in C.C.No.20986/2025 pending before XXX Additional Chief Judicial Magistrate, Bengaluru for the offence under Section 108 of Bharatiya Nyaya Sanhita, 2023 (BNS, 2023). The proceeding is arising from Crime No.56/2025 registered before Konanakunte Police Station. The complaint is filed by the daughter of the victim who allegedly committed suicide.

5. The contents of the complaint would reveal that the victim was running a paying guest accommodation and it is alleged that, victim had borrowed a loan from Shravana and Suresh. It is alleged that the loan was not repaid, as such, the petitioner and another person by name Suresh (accused No.2) were insisting and demanding repayment from the deceased and they used to pressurise the victim to hand over the cheque.

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6. It is alleged that when the victim could not repay the money, she was told to hang herself and she was found dead on the terrace of the P G accommodation.

7. Learned counsel for the petitioners would submit that except the statement of one witness who allegedly stated that, the petitioner told the victim to hang herself and die, there is nothing in the charge sheet to indicate that because of the petitioner's conduct the victim committed suicide.

8. It is the submission that unless the intention on the part of the petitioner to see that the victim commits suicide is established, the prosecution cannot lie under Section 108 of the BNS, 2023.

9. Learned counsel for the petitioner would also refer to the judgment of the Apex Court in **ABHINAV MOHAN DELKAR vs STATE OF MAHARASHTRA AND OTHERS¹** wherein it is said that if *mens rea* is forthcoming

¹ (2026)6 SCC 233



from the charge sheet materials, there cannot be any prosecution for abetment to suicide. It is submitted in the said case there was a statement by the accused which read "*go and kill yourself*". The Apex Court has held that said statement is not sufficient to convict accused for offence under Section 108.

10. Learned counsel for the respondents would submit that the alleged statement was made where the petitioner on the same day just before the death of the victim and there are eye witnesses to the said incident, as such, the case is made out for holding a trial.

11. The Court has considered the contentions raised and perused the records.

12. It is noticed in ***Abhinav Mohan Delkar*** (supra) that the statement referred to in the said case i.e. "*go kill yourself*" was allegedly made 10 days earlier to the suicide committed by the victim. Whereas in the instant case, the statement is allegedly made just before the



death of the victim and it is also noticed that there is an allegation that the complainant's mother had borrowed loan and the accused were pressuring the petitioner's mother to repay the loan amount and victim was put to lot of stress.

13. Whether there was real intention on the part of the petitioners to see that the victim commits suicide or not is a matter that requires to be considered at the time of trial.

14. At this juncture, considering charge sheet materials placed on record, this Court is of the view that no case is made out to quash the proceedings more so, in a situation where accused No.2 was allegedly found in the same room where the deceased was found dead and just few minutes earlier to that the petitioner was also allegedly with accused No.2.

15. Accordingly, the petition is ***dismissed***.



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16. Observations made in this order are only confined to the merits of the petition and not on the merits of the defence raised by the petitioner. All contentions kept open.

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(ANANT RAMANATH HEGDE)
JUDGE

BRN
List No.: 1 Sl No.: 2