

**THE HON'BLE SRI JUSTICE M.S.K. JAISWAL**

**Criminal Petition No. 927 of 2011**

**Order:**

This Criminal Petition is filed, under Section 482 of the Code of Criminal Procedure, 1973, by the petitioner/accused, seeking to quash the FIR in Crime No.4 of 2011 of Kundurpi Police Station, Ananthapur District, registered for the offence punishable under Section 306 IPC.

The facts, in brief, are that the first respondent namely Golla Dasari Radhamma is the wife of the deceased Golla Dasari Kumar. They were eking out their livelihood by doing business. It is alleged that on 19.01.2011 the deceased disposed of his own cell phone, consumed alcohol and was beating the first respondent-wife. One of the drivers of the auto, who was standing nearby, is alleged to have intervened and questioned the high-handed behaviour of the deceased as to why he was beating a woman and, in that process, it is alleged that the said auto driver beat the deceased with a brick. This is said to have resulted in the deceased, having felt humiliated for having beaten by a stranger in view of the dispute between himself and his wife, committing suicide by hanging himself to a tree. In the complaint what all mentioned is that one of the drivers of the auto has intervened and he is responsible for the deceased committing suicide. The name of the petitioner/accused is not mentioned in the complaint. Therefore, it is premature to say that it is the petitioner/accused who is being prosecuted in the crime. However, the allegations, *prima facie*, show that due to the intervention of the petitioner/accused, if he is so, in the internal dispute between the wife and husband, and having beat the husband with a brick, that resulted in the husband feeling

humiliated and committing suicide. In view of the said material on record, it is not a fit case to quash the proceedings against the petitioner/accused. There are no merits in the Criminal Petition and the same is liable to be dismissed.

Accordingly, the Criminal Petition is dismissed.

As a sequel thereto, the miscellaneous petitions, if any, pending in the Criminal Petition shall stand closed.

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**M.S.K. JAISWAL, J.**

Date: 19.06.2015

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