

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

MONDAY THE THIRTEENTH DAY OF NOVEMBER
TWO THOUSAND AND SEVENTEEN

PRESENT
SMT. JUSTICE T. RAJANI

CRIMINAL PETITION No. 2957 OF 2013

Between:

Ravi Kiran ... Petitioner /A-4

V/s.

The State of Andhra Pradesh
Rep. by its Station House Officer,
Humayunagar Police Station,
Hyderabad & Anr. ... Respondents/Complainant

Counsel for the Petitioner : Smt. K. Sesharajyam

Counsel for the Respondents : Public Prosecutor [AP]

The court made the following: [order follows]

SMT. JUSTICE T. RAJANI**CRIMINAL PETITION No. 2957 OF 2011****ORDER :**

This Criminal Petition is filed under section 482 Cr.P.C. seeking to quash the proceedings in PRC.No. 3 of 2008 on the file of the Court of VI Additional Chief Metropolitan Magistrate, Hyderabad against the petitioner/A-4.

2. Heard Smt. K. Sesharajyam, learned Senior Counsel for the petitioner and the Public Prosecutor takes notice for the first respondent and none appears on behalf of second respondent in spite of service of notice.

3. The counsel for the petitioner takes this Court to the contents of the complaint given by the mother of the deceased, Smt. Suhasini, wherein the name of the petitioner and others is not mentioned. The complaint only shows that when they broke open the door, they found the deceased hanging and the suicide note of the deceased is also collected wherein absolutely no allegation is made against this petitioner. The name of this petitioner does not figure in the suicide note. It is only on the basis of 161 Cr.P.C. statements of the witnesses, charge sheet have been filed against this petitioner. The statement of the mother of the deceased shows that this petitioner along with

other accused blamed the deceased that she is responsible for the death of her husband and that she had an evil eye on the vast property of her husband but all the said allegations are improvements. When there is no basis for the offence under section 306 of IPC in the suicide note of the deceased itself, improvements made by other witnesses cannot be taken into consideration. Hence, on the face value of the complaint and the suicide note, no offence is made out against this petitioner and continuation of further proceedings will only result in abuse of process of law.

4. For all the above reasons, the proceedings against the petitioner/A-4 is quashed.

5. The Criminal Petition is accordingly allowed.

6. As a sequel, miscellaneous petitions if any, pending in this criminal petition stands closed.

JUSTICE T. RAJANI

HONOURABLE SMT. JUSTICE T. RAJANI

CRIMINAL PETITION No. 2957 OF 2011
[ALLOWED]



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