

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No. 3742 of 2011

ORDER:

This petition is filed by the petitioners seeking for quashment of proceedings in P.R.C.No.11 of 2011 on the file of the Court of III Additional Chief Metropolitan Magistrate, Vijayawada.

2. Heard the counsel for the petitioners and the Public Prosecutor, who appears for the 1st respondent. None appears for the 2nd respondent in spite of notice.

3. The counsel for the petitioners contends that absolutely no ingredients of Section 306 IPC are made out either from the complaint or from the statements recorded from the witnesses and the charge sheet.

4. A perusal of the complaint, which is filed by one T. Sankar, shows that he is a co-employee of the deceased. On hearing a sound, he went to the scene of offence and found that the deceased died by jumping from the top of the building. The statements, which were recorded from the wife, daughter, and the co-employee of the deceased, would only show that the wife and the daughter of the deceased suspected that the pressure of the management; to realise the loss, might be the cause of the suicide committed by the deceased. There is only one statement of one Vellanki Narayana Rao, which states that the suicide is due to the pressure of the employers of the

deceased to realise the amounts. But nowhere in his statement, he stated that the pressure was to the extent of instigating the deceased to commit suicide or that would amount to abetment for the suicide committed by the deceased. It is only stated that the employers used to ask him to realise the amounts. Even if all the statements are considered, no offence amounting to Section 306 IPC is made out. Hence, this Court opines that continuation of further proceedings against the petitioners in the said PRC would be only a sheer abuse of process of law.

6. With the above observations, the Criminal Petition is allowed and the further proceedings in P.R.C.No.11 of 2011 on the file of the Court of III Additional Chief Metropolitan Magistrate, Vijayawada, are hereby quashed.

As a sequel, the miscellaneous applications, if any pending, shall stand closed.

November 13, 2017
LMV

T. RAJANI, J