

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.13696 of 2011

ORDER:

This petition is filed under Section 482 Cr.P.C., for quashing the proceedings in P.R.C.No.12 of 2011 on the file of Judicial Magistrate of First Class, Kothavalasa, against the petitioners, which was taken on file for the offence punishable under Section 306 r/w 34 IPC.

2. Heard the learned counsel for the petitioner, and the learned Public Prosecutor for the respondent-State.

3. The allegations made in the complaint are that the deceased No.1 is the husband of one Ramanamma, and the deceased No.2-Appalaraju, and deceased No.3-Satyavathi are their son and daughter. All the four committed suicide. The charge sheet reveals that deceased No.3 told LW.21 that his mother is suggesting suicide to get over the troubles and that the accused are visiting his house and picking up altercation and threatening to drag them to the street.

4. From the above, it can be understood that the reason for the suicide is weak financial condition in which the deceased were languishing and due to that they had incurred debts from the petitioners/accused, and the petitioners being creditors were mounting pressure on the deceased to discharge the said debts, which by itself cannot be considered as made with an intention to abet suicide committed by the deceased. The suicide note however shows the names of the petitioners but the reason is stated to be the debts incurred from the petitioners. Merely because the petitioners have pressurised for discharge of debts, it cannot be held that the petitioners have abetted the deceased to commit suicide.

5. Considering the same, the criminal petition is allowed, quashing the proceedings against the proceedings in P.R.C.No.12 of 2011 on the file of Judicial Magistrate of First Class, Kothavalasa. Pending miscellaneous petitions, if any, shall stand closed.

05th December, 2018
KSM

T. RAJANI, J



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