

**SMT. JUSTICE T.RAJANI**

**Criminal Petition No.10629 of 2011**

**ORDER:**

This petition is filed by the petitioner, accused, seeking to quash the proceedings in Crime No.98 of 2011 of Peddaraveedu Police Station, Prakasam District. The offence alleged is under Sections 306 IPC and subsequently, the offence under Section 384 IPC and Section 3(x) of SC and ST of POA are added.

Heard the learned counsel on either side and perused the material placed on record.

A perusal of the complaint shows that the deceased, who is the husband of the complainant, has taken loan from the petitioner and did not discharge the said loan. The petitioner, in order to somehow realize the loan, took away the motorcycle of the deceased. The deceased, feeling ashamed, wrote a letter and committed suicide.

The learned counsel for the second respondent submits that the statements of the witnesses were already recorded and hence, the matter may be sent for trial. But a perusal of the statement of the complainant, L.W.1, shows that she reiterated the facts stated in the complaint that the accused took away the motorcycle of the deceased to mount some pressure on the deceased to discharge the loan amount. In any stretch of imagination, simple pressure put on the deceased does not amount to abetment of suicide committed by the deceased. Absolutely, the ingredients of alleged offence are not attracted by the statements of the witnesses. It appears from the statements that the deceased, in spite of taking loan for doing cultivation and to erect bore-well, could not make any profits. The suicide committed by the deceased seems to be the result of the pressure that mounted on him due to several factors.

In view of the above, continuation of further proceedings against the petitioner would be an abuse of process of law.

With the above observations, this Criminal Petition is allowed and the proceedings in Crime No.98 of 2011 of Peddaraveedu Police Station, Prakasam District are hereby quashed.

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

---

**JUSTICE T. RAJANI**

**Date: 05.10.2018**  
LSK

