HC-KAR

NC: 2026:KHC:61719
CRL.P No. 3710 of 2025

CNR: KAHC010170272025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 5TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

CRIMINAL PETITION NO. 3710 OF 2025 (482(Cr.PC) / 528(BNSS)-)

BETWEEN:

VEENA S M
D/O SADANANDA,
AGED ABOUT 25 YEARS,
R/O.
CURRENT ADDRESS NO.48
RADHANILAYA,
SRI SAI LAYOUT, CK PALYA MAIN ROAD,
BENGALURU CITY,
KARNATAKA - 560083

PERMANENT ADDRESS
MATTIKOPPA, SHIMOGA,
KARNATAKA 577453

...PETITIONER

(BY SMT. ANUSHA NANDISH., ADVOCATE)

AND:

1. THE STATE- THROUGH THE
HULIMAVU TOWN POLICE STATION,
BENGALURU
(REPRESENTED BY THE
STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BENGALURU - 560001)

2. SMT MANJULA,
AGED ABOUT 42 YEARS,
W/O.SRINIVAS,
R/A. NO 30, KEMPAMMA,

Digitally Signed By:
SURAJ GOVINDA RAJ
12/11/2026, 14:27, Bengaluru
Verified

NILAYA PILAGANAHALLI,
GOTTIGERE POST, BENGALURU CITY,
KARNATAKA -560083

…RESPONDENTS

(BY SMT. RASHMI PATEL., HCGP FOR R1;
SRI. POOJAPPA.J., ADVOCATE FOR R2)

THIS CRIMINAL PETITION IS FILED U/S 482 CR.P.C (U/S 528 BNSS) PRAYING TO QUASH ALL PROCEEDINGS IN SPL.C.NO.2594/2024, PENDING ON THE FILE OF THE LEARNED LXX ADDITIONAL CITY CIVIL AND SESSIONS JUDGE AND SPECIAL JUDGE, BENGALURU (CCH-71), FOR THE OFFENCES P/U/S 108 OF BNS, 2023, U/S 3(1)(s)(r),3(2)(va) OF SC/ST (POA) AMENDMENT ACT, 2015 AND ETC.

THIS CRIMINAL PETITION, COMING ON FOR ADMISSION, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. The petitioner is before this Court seeking for the following reliefs:

> *(1) Quash all proceedings in Spl.C.No.2594/2024, pending on the file of the Learned LXX Additional City Civil and Sessions Judge and Special Judge, Bengaluru (CCH-71), for the offences p/u/s 108 of BNS, 2023, u/s 3(1)(s)(r),3(2)(va) of SC/ST (POA) Amendment Act, 2015.*
>
> *(2) Pass such other and or further order(s) as may deem fit and proper in the facts and circumstances of the present case.*

Digitally Signed By:
SURAJ GOVINDA RAJ
12/11/2026, 14:27, Bengaluru
Verified

2. Respondent No.2 lodged a complaint on 10.02.2021, on the basis of which Crime No.465/2024 came to be registered by Hulimavu Police Station. Upon completion of the investigation, the police filed a charge sheet on 18.11.2024 for the offences punishable under Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, as amended, and Section 108 of the Bharatiya Nyaya Sanhita, 2023. It is challenging the continuation of the said proceedings that the petitioner is before this Court.

3. Learned counsel for the petitioner submits that a reading of the complaint and the material collected during the investigation does not disclose the necessary ingredients of the offence of abetment of suicide. It is contended that there is no proximate or legally sufficient connection between the alleged conduct of the petitioner and the deceased having taken his own life.

4. Learned counsel submits that, on the date of the incident, the deceased had gone to the petitioner's house. Whether he went there voluntarily or was called by the petitioner is itself disputed. The

Digitally Signed By:
SURAJ GOVINDA RAJ
12/11/2026, 14:27, Bengaluru
Verified

deceased and the petitioner are stated to have consumed alcohol together. Thereafter, when the deceased received telephone calls from his family members and was preparing to leave, an altercation is alleged to have taken place between them. It is alleged that the petitioner insisted that the deceased should stay with her and threatened that, if he did not do so, she would damage the reputation of his family members. The petitioner is also alleged to have stated that she did not trust him and that he could go and kill himself. It is stated that, thereafter, the deceased went into an adjoining room and hanged himself.

5. Apart from the above allegations, the complaint refers to the petitioner having allegedly abused the deceased by referring to his caste. The petitioner is stated to have questioned the deceased as to why he was not reciprocating her feelings, despite her having fallen in love with him despite knowing his caste, and accused him of cheating her.

6. Heard Smt. Anusha Nandish Gaurav, learned counsel for the petitioner, Smt. Rashmi Patel, learned High Court Government Pleader for respondent No.1, and

Digitally Signed By:
SURAJ GOVINDA RAJ
12/11/2026, 14:27, Bengaluru
Verified

Sri Poojappa J., learned counsel for respondent No.2. Perused the papers.

7. A consideration of the allegations in the complaint and the material collected during the investigation is required to determine whether the ingredients of the offence punishable under Section 108 of the BNS are disclosed.

8. The petitioner and the deceased are stated to have been in a relationship. The material indicates that they met at the petitioner's house, where they are alleged to have consumed alcohol together. An altercation is stated to have taken place when the deceased was preparing to leave the house. The petitioner is alleged to have insisted that the deceased should stay with her and, in the course of the altercation, threatened to damage the reputation of his family. The deceased thereafter went to an adjoining room and committed suicide.

9. The relationship between the petitioner and the deceased is not in dispute. The material also refers to the petitioner suspecting the deceased of not reciprocating her feelings and of being involved with a friend of the deceased. The statements of the witnesses, as noticed from the material placed before

Digitally Signed By:
SURAJ GOVINDA RAJ
12/11/2026, 14:27, Bengaluru
Verified

this Court, indicate a relationship marked by possessiveness and differences between the two. However, the existence of a relationship, or the fact that the petitioner was insisting that the deceased stay with her, cannot, by itself, establish abetment of suicide.

10. For an offence of abetment of suicide to be made out, the material must disclose the requisite intention and conduct falling within the legal meaning of abetment. A quarrel, an exchange of harsh words or a strained personal relationship, without more, would not automatically constitute abetment. The alleged words and conduct must be considered in their entirety and in the context in which they are stated to have occurred.

11. In the present case, though the petitioner is alleged to have made an objectionable statement asking the deceased to go and kill himself, the material placed before this Court does not disclose circumstances indicating that the petitioner intended, by such statement or by any other conduct attributed to her, to instigate or intentionally aid the deceased to commit suicide. The material, as presented in the charge sheet and relied upon in these proceedings,

Digitally Signed By:
SURAJ GOVINDA RAJ
12/11/2026, 14:27, Bengaluru
Verified

does not disclose the necessary element of abetment so as to sustain the prosecution under Section 108 of the BNS.

12. It is also relevant that the death of the deceased is stated to be a suicide, and no allegation of any other form of foul play is made out from the material placed before this Court. The fact that the deceased committed suicide in the petitioner's house, by itself, cannot establish that the petitioner abetted the commission of suicide.

13. In the above circumstances, this Court is of the considered opinion that the material on record does not disclose the essential ingredients of the offence punishable under Section 108 of the BNS. Continuation of the proceedings insofar as the said offence is concerned would, therefore, not be justified.

14. Insofar as the offences punishable under Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, as amended, are concerned, the position is different.

Digitally Signed By:
SURAJ GOVINDA RAJ
12/11/2026, 14:27, Bengaluru
Verified

15. The complaint and the statements of the witnesses contain allegations that the petitioner referred to the caste of the deceased and abused him on that basis. The witnesses are stated to have spoken about such conduct. These allegations require consideration in the context of the ingredients of the offences invoked and the material collected during the investigation. At this stage, this Court is not required to undertake an assessment of the credibility of the witnesses or determine the truth of the allegations.

16. The material placed before this Court does not warrant quashing the proceedings in respect of the offences under Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the said Act. The prosecution in respect of those offences shall, therefore, continue in accordance with law.

17. Accordingly, the Criminal Petition deserves to be partly allowed.

ORDER

i. The Criminal Petition is partly allowed.

ii. The proceedings in Spl. C. No.2594/2024, pending on the file of the LXX Additional City Civil and

Digitally Signed By:
SURAJ GOVINDA RAJ
12/11/2026, 14:27, Bengaluru
Verified

Sessions Judge and Special Judge, Bengaluru (CCH-71), are quashed insofar as the offence punishable under Section 108 of the Bharatiya Nyaya Sanhita, 2023, is concerned.

iii. The proceedings in the said case shall continue insofar as the offences punishable under Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, as amended, are concerned.

iv. It is made clear that the observations made herein are confined to the consideration of the offence punishable under Section 108 of the BNS and shall not influence the Special Court while dealing with the remaining offences on their own merits.

Digitally Signed By:
SURAJ GOVINDA RAJ
12/11/2026, 14:27, Bengaluru
Verified

(SURAJ GOVINDARAJ)
JUDGE

LN
List No.: 1 Sl No.: 29