

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

THE HON'BLE SMT.JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION No.13500 of 2025

Date: 28.11.2025

Between:

Rudrabatla Santhosh Kumar and 12 others

... Petitioners/Accused

And

State of Telangana,
Rep. by the Public Prosecutor,
High Court for the State of Telangana,
Hyderabad and another

... Respondents

THE HON'BLE SMT.JUSTICE TIRUMALA DEVI EADA**CRIMINAL PETITION No.13500 of 2025****ORDER:**

This Criminal Petition is filed by the petitioners-accused Nos.1 to 13 seeking to quash the proceedings in Crime No.99 of 2025 on the file of Neelwai Police Station, Ramagundam, registered for the offences under Sections 108 read with 3(5) of BNS.

2. Heard Sri V. Raghunath, learned Senior Counsel representing Ms. V. Sanjana, learned counsel on record for the petitioners, Sri Prabhakar Rao, learned Senior Counsel representing Sri K. Sanjeev, learned counsel on record for the respondent No.2 on record and Sri Jithender Rao Veeramalla, learned Additional Public Prosecutor for the respondent No.1-State.

3. The case of the prosecution is that the petitioners herein have abetted the suicide of the victim by harassing him through a false complaint filed against him, alleging that he has outraged the modesty of a woman. Thus, unbearable with the humiliation, the victim alleged to have committed suicide.

4. The learned counsel for the petitioners has submitted that the petitioners were celebrating Bathukamma festival and while they

were in festive mood, the victim alleged to have entered there with few others and have created galata and has pulled the hand of accused No.11-petitioner No.11 herein, and outraged her modesty. Thus, accused No.11 lodged a complaint on 03.10.2025 for the offences under Sections 3(1)(r)(s), 3(1)(w), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act (for short 'SC & ST Act') and Sections 76, 77 and 351(2) of BNS against the victim. He contends that the present case is lodged on 10.10.2025 as a counter blast to the said complaint and that the petitioners herein are no way responsible for the suicide of the victim. He further submitted that on the face of it, the complaint is not sustainable as mere registration of a crime against an individual would not amount to abetment to provoke the victim for committing the suicide. The ingredients of the abetment do not get attracted even as per the averments made in the complaint. He further submitted that the alleged suicide note does not constitute the offence of abetment and does not spell out any harassment made by the petitioners instigating the victim to commit suicide. He further submitted that accused No.11 being a lady belonging to Mannervarlu community was treated in an obscene manner by the deceased victim and thus, she had to lodge a complaint. But, that does not mean to say that the *de facto* complainant can implicate all these petitioners with an allegation of

abetting the suicide of the victim. He further submitted that the petitioners herein are 13 persons altogether and it is beyond the scope of imagination that all the 13 persons would go and instigate the victim to die. He further submitted that the police have not followed the procedure laid down under BNSS and have not conducted any preliminary enquiry in this case and that the police have utterly violated the guidelines laid down in **State of Haryana v. Bhajanlal**¹ and thus, the proceedings against the petitioners, among whom most of them are women, have to be quashed. He relied upon the judgments of Supreme Court in **Madan Mohan Singh v. State of Gujarat**², **Ayyub & Ors. v. State of Uttar Pradesh**³, and the decision of the High Court of Madhya Pradesh at Indore in **Rajesh @ Raja Yadav v. State of M.P.**⁴ and the High Court of Delhi in **Atul Kumar v. State of NCT Delhi and another**⁵.

5. The learned counsel for the respondent No.2 has submitted that the FIR in itself is not an epitome and that the suicide note reveals the names of accused Nos.1 to 3 holding them responsible for the death of the victim. He further submitted that petitioner No.11 herein-accused No.11 has lodged a complaint against the deceased

¹ 1992 AIR 604

² (2010) 8 SCC 628

³ 2025 SINS 168

⁴ 2016 SCC OnLine MP 9892

⁵ 2021 SCC OnLine Del 4107

vide FIR No.95 of 2025 with all false allegations and that the deceased was a reputed person in the village and the allegations in the said complaint itself show that when there were several people involved in the festive celebrations, in that scenario, the victim entering into the said place and pulling the hand of accused No.11 and outraging her modesty seems to be absurd and since the victim is a reputed person and a responsible man, felt very much humiliated with the false complaint raised against him, which driven him to commit suicide. The victim could not withstand the mental agony and thus, committed suicide, as he lost his image and the family reputation in the society. He further submitted that the investigation is still in progress and thus, the proceedings cannot be quashed at the present stage and the matter needs to be investigated as it pertains to the loss of life of an innocent person and hence, prayed to dismiss the petition.

6. Perused the records.

7. It is alleged that the petitioners herein were celebrating Dasara festival on 02.10.2025 at around 9.30 p.m., at Neelwai village under the leadership of accused Nos.2 to 4 under a DJ sound system with high volume and were disturbing the peace of the locality and thus, the local residents of that colony and the victim, who is the father of the *de facto* complainant have complained to the local SHO, but

when he did not respond, they dialed to '100'. Subsequently, the petitioners herein went to the house of the victim, abused him in filthy language and threatened him saying that if he comes out, they would kill him. On the next day i.e. on 03.10.2025 at around 9.00 a.m., the Sub-Inspector of Police has called the victim on phone and asked him to come down to the police station. Pursuant to the same, the victim went to the police station and has informed the SHO about the threats posed by the petitioners herein and asked him to protect his life. It is further alleged that the petitioners herein have got a complaint lodged by accused No.11 against the victim alleging that the victim has outraged her modesty. The *de facto* complainant further alleges that his father enjoys a good reputation and has good political background and that his progress in the political field was not digestible to the petitioners herein and hence, they have come up with the said false allegations against the victim. It is further alleged that the victim was called to the police station and was harassed and on 10.10.2025 in the morning the police have harassed him on phone. Thus, unbearable with the implication in the false case and the harassment thereafter, the victim went out of the house on 10.10.2025 at 8.00 a.m., to the nearby forest and committed suicide by hanging himself.

8. Thus, the allegation in the complaint point out a *prima facie* case that the victim was put to harassment, which drove him to commit suicide. The prosecution has submitted a copy of the suicide note alleged to have been written by the deceased victim. A perusal of the said suicide note, reveals that accused Nos.1 to 3 herein are responsible for the death of the victim. The contention of the learned counsel for the petitioners is that how can all the 13 people have abetted suicide of the deceased. It is pertinent to take note of the fact that the case is filed for the offence under Section 108 read with 3(5) of BNS. Thus, the act if committed by one would implicate all the persons, who carried a common intention. The investigation is still in progress. The truth is yet to be unraveled. The proximity between the alleged act of the petitioners and the act of suicide committed by the victim needs to be established.

9. The contention of the learned counsel for the respondent No.2 is that the victim could not withstand the humiliation and loss of his image in the society, which has driven him to commit suicide. Therefore, the proximity between the alleged incident and the act of committing the suicide can be culled out at the stage of trial. It is further borne out by record that the allegation of the petitioners herein is that just because they have lodged a complaint, they are being

targeted to have abetted the victim to commit suicide and that the present complaint is lodged against them as a counter blast case. The truth or otherwise in the allegations can be culled out only after a full-fledged trial. The statements of the witnesses also point out the alleged harassment made by the petitioners herein against the deceased. Since the *prima facie* case is pointed out against the petitioners-accused, it is not just and proper to quash the proceedings at the nascent stage of investigation.

10. In **Madan Mohan Singh's** case (2 supra) and in **Ayyub & Ors.** (3 supra), relied on by the learned counsel for the petitioners, it was held that in order to bring out an offence under Section 306 IPC, specific abetment as contemplated under Section 107 IPC on the part of the accused with an intention to bring about the suicide of the person concerned as a result of that abetment is required. The intention of the accused to aid or to instigate or to abet the deceased to commit suicide is a must for attracting the offence under Section 306 IPC.

11. In **Rajesh @ Raja Yadav's** case (4 supra) it was held that:

10. Reverting back to the present case, if we apply the principle laid down in the aforementioned cases, it is apparent that the allegation of harassment of the deceased cannot be said to be an abetment to commit suicide. It is apparent that the deceased suffered loss in business, may be due to the

applicant but allegation against present applicant was false or true is not clear. At this moment, even assumed that the applicant used to harass the deceased, it cannot said to be abetment to commit suicide under section 107 of IPC as held in the case of the Pinakin Mahipatray Rawal v. State of Gujarat [2013 Cr.L.R.(SC) 955] by Hon'ble Apex Court, as such in my opinion so far as the present applicant is concerned, no charge is prima facie made out under section 306 IPC."

12. In **Atul Kumar's** case (5 supra), FIR No.140 of 2016 was registered under Section 306 IPC and it was submitted that the said FIR was registered in pursuance of the complaint filed by the respondent No.2 against the petitioner and two police officers after 44 days from the date of which the suicide was committed by her husband. The petitioner in the said case is a resident of USA and interested in antique vintage motorcycles. He came across M/s. Palli Motors belonging to the deceased, who was involved in the business of such vintage motorcycles. Thereafter, the petitioner contacted the deceased and expressed his desire to purchase the vintage motor bike and the deceased quoted the price for two different BSA motor bikes and the petitioner agreed to purchase the same and transferred a sum of 4,250 US dollars on 02.05.2012 into the account of one Narender Verma through banking channel, who acknowledged the receipt of the said transaction. Thereafter, even on complete payment

in the year 2012, the deceased did not hand over the vintage motor bike. The petitioner having come down to India and has issued a legal notice on 19.11.2014 to the deceased under Sections 420 and 406 IPC. Thereafter, the petitioner left India and on 09.12.2014. The deceased committed suicide and left behind a suicide note naming the petitioner as a reason for taking that extreme step. Thus, it was held that taking recourse to one's own legal remedy by no stretch of imagination amounts to abetment. It was held that:

“When the facts of the present case are analyzed in light of the legal principles extracted hereinabove, neither any live link nor any proximity between the acts of the petitioner and the act of committing suicide by the deceased is discernible. The requisite *mens rea* on part of the petitioner is also lacking. It cannot be said that the petitioner had abetted or instigated the deceased to commit suicide and that the deceased was left with no option but to commit suicide. This Court is of the opinion that necessary ingredients of the offence punishable under Section 306 IPC are not made out against the petitioner with the result that the petition is allowed and the impugned order passed by the learned ASJ directing the Trial Court to proceed with the matter, is set aside.”

13. Thus, the learned counsel for the petitioner has contended that in view of the above case laws, no case is made out against the petitioners and it cannot be alleged that they have abetted the suicide of the victim. But, in the present case, the allegations point out that the petitioners to a false complaint lodged through petitioner

No.11-accused No.11 against the victim with a strong allegation that he has outraged her modesty and further it is contended that the victim enjoyed reputation in the village and felt humiliated due to the loss of his image and family reputation in the society, which lead him to commit suicide. Thus, the case on hand cannot be decided in the light of the aforementioned decisions. It is already discussed in the preceding paragraphs that all the issues as to the truth in the allegations and also the proximity between the alleged act of abetment and the act of committing suicide are all triable by the trial court. It is mentioned in the suicide note that accused Nos.1 to 13 have abetted the suicide of the victim. Even according to the complaint, it is the victim who suffered the alleged humiliation and it is only the victim who knows about the alleged harassment experienced by him and if at all accused Nos.4 to 13 have also committed any such act of abetting the suicide of the victim, then he could have mentioned the names of accused Nos.4 to 13 also. But, it is revealed from the suicide note that the victim is aggrieved by the acts of accused Nos.1 to 3 and it is specifically alleged that these three people have got the false complaint filed by accused No.11 against the victim. Even the name of the *de facto* complainant in the earlier complaint *vide* FIR No.95 of 2025, who is accused No.11 herein, does not figure in the suicide note. Thus, it appears that the accused No.11

was instrumental in lodging the complaint at the instigation of the accused Nos.1 to 3. If the incident alleged in the said complaint in FIR No.95 of 2025 is taken to be true, then lodging of complaint by accused No.1 would amount to initiating a legal proceeding, which cannot be said to be an act abetting the suicide of the victim. The allegations of the complaint lodged by the son of the victim, cannot travel beyond the contents of the suicide note. In the said circumstances, holding a *prima facie* case against accused Nos.4 to 11 would not be justified. Therefore, it is held that continuation of proceedings against the petitioner Nos.4 to 13-accused Nos.4 to 13 would amount to abuse of process of law.

14. Hence, the Criminal Petition is partly allowed, quashing the proceedings in Crime No.99 of 2025 on the file of Neelwai Police Station, Ramagundam, only against the petitioner Nos.4 to 13 and the criminal petition against petitioner Nos.1 to 3 is dismissed.

Miscellaneous Petitions, pending if any, shall stand closed.

JUSTICE TIRUMALA DEVI EADA

November 28, 2025
KTL