

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

**MONDAY ,THE THIRD DAY OF JULY
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL APPEAL NO: 480 OF 2023

**Crl.Appeal Under Section 378 (3) & (1) of Cr.P.C. against the order dated
06/09/2011 in S.C.No. 395 of 2010 on the file of the Court of the Assistant
Sessions Judge, Mahabubnagar**

Between:

The State of A.P., rep. by the Public Prosecutor, High Court of A.P., Hyderabad.

...APPELLANT/ Petitioner

AND

**Bandari Sreenivasulu, S/o. Nagaiah, Age 22 years, Caste. Munnuru Kapu, Occ
Mason, Rio. Yenugonda (v), Mahabubnagar Mandal.**

.. Accused /.RESPONENT

Counsel for the Appellant: THE PUBLIC PROSECUTOR

Counsel for the Respondent: NONE APPEARED

The Court Delivered the following: Judgment

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.480 OF 2023****ORDER:**

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') by the petitioner-Accused No.1 to quash the proceedings against him in FIR No.274 of 2022 pending on the file of Station House Officer, Gadwal Town Police Station, Jogulamba Gadwal District, registered for the offences punishable under Sections 306 and 504 of Indian Penal Code (for short 'IPC')

2. Heard learned counsel for the petitioner – Accused and learned Additional Public Prosecutor for the respondent No.1 – State. Perused the material on record.
3. The 2nd respondent filed a complaint stating that his son has committed suicide for the reason of the college management and lecturers harassing him.
4. Learned counsel for the petitioner submits that there is no specific allegation with respect to this petitioner except stating that

the college management is responsible. The said *de facto* complainant in fact has received information from his classmates which amounts to hearsay evidence and on the basis of said hearsay evidence, the petitioner cannot be mulcted with criminal liability.

5. On the other hand learned Additional Public Prosecutor would submit that this petitioner along with others were also responsible for continuously harassing the student, which ultimately resulted in student committing suicide.

6. However, since the 2nd respondent – *de facto* complainant has no direct knowledge of what transpired in the college, this Court deems it appropriate to direct the Investigating Officer in FIR No.274 of 2022 pending on the file of Station House Officer, Gadwal Town Police Station, Jogulamba Gadwal District, to not to arrest this petitioner- Accused No.1 till 30.01.2023 and thereafter proceed with the investigation in accordance with law on the basis of the evidence collected.

7. Accordingly, the Criminal Petition is disposed off.

Miscellaneous applications pending, if any, shall stand closed.

Sd/- CH.VENKATESWARLU
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Assistant Sessions Judge, Mahabubnagar, Mahabubnagar Dist.(With records)
2. The Judicial Magistrate of First Class, Mahabubnagar
3. The Station House Officer, Nawabpet Police Station, Mahabubnagar Dist.
4. Two CCS to Public Prosecutor, High Court for the State of Telangana at Hyderabad (OU)
5. Two CD Copies

ADK



HIGH COURT

DATED:03/07/2023

JUDGMENT

CRL.APPEAL .No.480 of 2023



DISMISSING THE CRL.APPEAL

(S) VW
5/10/23