

HIGH COURT FOR THE STATE OF TELANGANA

CRIMINAL PETITION Nos.5635 and 5738 of 2026

Between :

Seeloju Shiva Kumar
S/o.Seeloji Blaram Chary
Aged: about 35 years, Occ: Advocate,
R/o.316,112/2/3, Ram reddy Nagar,
Ramanthapur, Amberpet,
Hyderabad, Telangama – 500013

....Petitioner

VERSUS

The State of Telangana
Represented through Public Prosecutor
High Court for the State of Telangana
At Hyderabad and another

... Respondents

DATE OF JUDGMENT PRONOUNCED: 21.04.2026

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

1. Whether Reporters of Local newspapers may be allowed to see the Judgments? Yes/No
2. Whether the copies of judgment may be marked to Law Reporters/Journals? Yes/No
3. Whether Their Ladyship/Lordship wish to see the fair copy of the Judgment? Yes/No

J. SREENIVAS RAO, J

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

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% Dated 21.04.2026

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... Respondents

! Counsel for Petitioner/s : Mr. B. Pavan
Mr. Kasoju Mahesh Chary

^ Counsel for Respondents : Mr. Jithender Rao Veeramalla
Learned Additional Public Prosecutor (R.1)

< GIST:

> HEAD NOTE:

? CITATIONS:

1. 2025 SCC OnLine SC 120
2. 1992 supp (1) SCC 355
3. (2021) 19 SCC 401

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION Nos.5635 and 5738 of 2026

DATE: 21.04.2026

Between :

Seeloju Shiva Kumar

....Petitioner/Accused No.7
In CrI.P.No.5635 of 2026

Sri Madupathi Vedhanth Swamy

....Petitioner/Accused No.6
In CrI.P.No.5738 of 2026

AND

The State of Telangana and another.

...Respondents

: COMMON ORDER :

CrI.P.Nos.5635 and 5738 of 2026 have been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'the BNSS'), by accused No.7 and accused No.6 respectively, seeking to quash the proceedings in F.I.R.No.194 of 2026 of Pocharam IT Corridor Police Station, Malkajgiri District, registered for the offence under Section 108 read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short, 'the BNS'). Hence, both the criminal petitions are being heard together and are disposed of by this common order.

2. Brief facts of the case:

2.1. On 10.04.2026 at about 13:30 hours, respondent No.2 lodged a complaint stating that she was blessed with two daughters and one

son and has been earning her livelihood through a flower business. Her elder daughter (deceased) is pursuing M.Sc. She further stated that her sister-in-law, i.e., accused No.2, and accused No.2's husband was suffering from HIV/AIDS and he died in the year 2008 due to the said disease. After his death, accused No.2 has been residing at RK Colony, Annojiguda, along with her two sons, namely accused Nos.1 and 3. In the month of August 2025, her deceased daughter informed that accused No.1 was in love with her and intended to marry her. At that stage, she informed to her deceased daughter that the father of accused No.1 died due to HIV/AIDS and she apprehended that accused No.1 might also be infected. Hence, she insisted on conducting an HIV test before proceeding with the marriage and accordingly got tested both accused No.1 and her deceased daughter. The test results revealed that accused No.1 was HIV positive, whereas her deceased daughter tested negative. Upon knowing this, she advised her deceased daughter about the seriousness of the disease and risks transmission. Thereafter, her deceased daughter changed her decision and refused to marry accused No.1. Due to this, accused No.1 developed a grudge against her deceased daughter. On 11.03.2026, when her deceased daughter was alone at her house, accused No.1 allegedly entered into the house and injected his own blood into the body of her deceased daughter using a syringe, with an intention of infecting her with HIV.

In this regard, a case has already been registered against accused No.1 at Pocharam IT Corridor Police Station. After the said incident, her deceased daughter was under severe mental stress and was undergoing treatment at Gandhi Hospital, where she was being counselled by doctors and police personnel. In the meantime, the petitioner/accused No.6/Vedhan Media TV conducted an interview with accused No.2 and her younger son-accused No.3 in the presence of the petitioner/accused No.7, a practicing advocate. During the said interview, they allegedly made defamatory and derogatory statements, and assassinated her deceased daughter's character and uploaded the same on YouTube and circulated the same on social media. Upon noticing this, she kept her younger daughter with her deceased daughter for support. However, her deceased daughter was subjected to obscene and defamatory publicity on social media, and due to such posts and comments, she suffered severe mental distress. Further, several persons i.e., accused No.8 to 15 posted derogatory and abusive comments on the said video, which caused further mental agony to her deceased daughter. It is also stated that her mother-in-law i.e., accused No.4, along with her sister i.e., accused No.5, despite knowing that accused No.1 is HIV positive, instigated him and made statements insulting her deceased daughter, thereby aggravating her mental distress. On 10.04.2026 at about 10:30 hours, her deceased daughter left her house and went to

the residence of her grandmother, where she committed suicide by hanging herself from a ceiling fan using a chunni. After the incident, a five-page suicide note and a selfie video recorded by the deceased were found. Upon examining the suicide note written by the deceased, it was revealed that accused No.4 had instigated accused No.1 by stating that the deceased would not be given in marriage to him, and advised him to take her to a temple or church and marry her, assuring him that all issues would be settled after six months. The deceased held the above-mentioned persons responsible for her death. Basing upon the said complaint, Crime No.194 of 2025 was registered for the offence under Section 108 read with 3(5) of the BNS.

3. Heard Mr. G. Ashok Reddy, learned counsel representing Mr. B. Pavan, learned counsel for the petitioner in CrI.P.No.5635 of 2026 through video conference, and Mr.Kasoju Mahesh Chary, learned counsel for the petitioner in CrI.P.No.5738 of 2026 and Mr. Jithender Rao Veeramalla, learned Additional Public Prosecutor appearing on behalf of respondent No.1 State.

4. Submissions of learned counsel for the petitioner/accused No.7 in CrI.P.No5635 of 2026:

4.1. Learned counsel for the petitioner submitted that the petitioner has not committed the offence and has been falsely implicated in the

present case. The petitioner never provoked nor instigated the deceased to commit suicide. He further submitted that accused No.1 in the present crime was arrested in Crime No.138 of 2026 for the offence under Section 109 of the BNS and in the said crime, the petitioner, being a legal practitioner, filed a regular bail application *vide* CrI.M.P.No.184 of 2026 before the I Additional District and Sessions Judge, Medchal-Malkajgiri District, Kushaiguda, seeking enlargement of accused No.1 on bail. Because of such professional engagement and intimacy with the family members of accused No.1, respondent No.2 has falsely implicated the petitioner as an accused in the present case.

4.2. He further submitted that there are no specific allegations levelled against the petitioner and that the only allegation against the petitioner is that he was present along with accused Nos.2 and 3 during an interview conducted by Vedhan Media T.V. The petitioner did not make any comment on the deceased. Even if the allegations contained in the complaint are accepted in their entirety, do not disclose any essential ingredient to attract the offence under Section 108 of the BNS. The petitioner at no point of time instigated, provoked or encouraged the deceased to take the extreme step. There is no *overt act* or active participation attributed against the petitioner and mere allegation of his presence along with accused Nos.2 and 3 does not constitute abetment in the eyes of law and the essential

ingredients of Section 45 of the BNS are not made out to attract the offence under Section 108 of the BNS. Hence, the continuation of the proceedings against the petitioner is a clear abuse of the process of law.

4.3. In support of his contention, he relied upon the order of the Hon'ble Apex Court in **Laxmi Das v. State of West Bengal and others¹**.

5. Submissions of learned counsel for the petitioner/accused No.6 in Crl.P.No.5738 of 2026.:

5.1. Learned counsel for the petitioner submitted that the petitioner has not committed any offence and has been falsely implicated in the present case. The petitioner is a journalist and at no point of the time, he instigated, provoked or encouraged the deceased to commit suicide. There are no allegations against the petitioner, much less specific allegations or overt acts attributed to him so as to constitute an offence under Section 108 of the BNS. The petitioner, being a journalist, is authorized to represent Vedhan Media T.V. in the course of his professional duties. The only allegation levelled against the petitioner is that he conducted interviews of accused Nos.2 and 3 in the presence of the petitioner/accused No.7 and the same were uploaded on a YouTube channel. The said allegation does not constitute an offence under Section 108 of the BNS. Hence, the

¹ 2025 SCC OnLine SC 120

continuation of the proceedings against the petitioner is a clear abuse of the process of law.

5.2. He further submitted that he adopts the submissions made by the learned counsel for the petitioner in CrI.P.No.5635 of 2026

6. Submissions of learned Additional Public Prosecutor:

6.1. *Per contra*, learned Additional Public Prosecutor submitted that there are specific allegations levelled against the petitioners that at their instance, accused No.2 and 3 were interviewed on Vedhan Media T.V., wherein the character of the deceased was assassinated and the said interview was uploaded on a YouTube Channel and the same was circulated on the social media.

6.2. He further submitted that accused No.1 and the deceased were known to each other and were related. When the deceased and her parents refused the proposal of marriage with accused No.1 on the ground that accused No.1 was HIV positive, he entered into the house of the deceased in the absence of her parents and injected his blood into her. Based on the said allegations, Crime No.138 of 2026 was registered by the Pocharam IT Corridor Police Station against accused No.1 for the offence under Section 109 of the BNS. Thereafter, the petitioners along with other accused have entered into a criminal conspiracy and conducted the interview of accused Nos.2 and 3 on Vedhan Media T.V., wherein the character of the deceased was

assassinated and she was provoked, the said content was uploaded on YouTube and circulated on social media platforms. Due to the same, she committed suicide. He further submitted that the Investigating Officer has seized the suicide note, wherein the deceased has specifically mentioned the role of accused No.1 and other accused. It is specifically mentioned the reasons for taking extreme step of committing suicide in her suicide note. He further submitted that in the statements of accused Nos.2, 3 and 5, the role of the petitioners has been specifically mentioned. The investigation is still in progress. At this stage, the petitioners are not entitled to seek quashing of the proceedings in a heinous offence.

Analysis

7. Having considered the rival submissions made by the respective parties and upon perusal of the material available on record, it reveals that accused No.1 and the deceased are relatives. When the deceased's family refused to perform the marriage of the deceased with accused No.1 on the ground that accused No.1 was injected with HIV, accused No.1 entered the house of the deceased in the absence of her parents and injected his blood into the deceased, by using syringe. Thereafter, a complaint in Crime No.138 of 2026 was registered against accused No.1 at the Pocharam IT Corridor Police Station for the offence under Section 109 of the BNS.

8. The record further reveals that accused No.1 was arrested in the said crime and the petitioner/accused No.7 filed CrI.M.P.No.184 of 2026 seeking grant of bail, and the same was dismissed on 01.04.2026. Thereafter, the petitioner/accused No.6, who is a journalist with Vedhan Media TV, conducted an interview with accused Nos.2 and 3 in the presence of the petitioner/accused No.7. In the said interview, accused Nos.2 and 3 made serious allegations against the deceased and assassinated her character. The said video was uploaded on a YouTube channel and also circulated on social media. Due to the same, the daughter of the *de facto* complainant/respondent No.2 committed suicide. In the complaint, respondent No.2 specifically stated that she found a five-page suicide note and self-recorded video of the deceased prior to her committing suicide. The police seized the suicide note of the deceased.

9. During the course of hearing, learned Additional Public Prosecutor placed on record a copy of the suicide note, wherein the deceased specifically mentioned the reasons for committing suicide. In the complaint, there are specific allegations levelled against the petitioners that in furtherance of a conspiracy between them and other accused Nos.2 to 5, accused Nos.2 and 3 have assassinated the character of the deceased and made serious allegations against her and due to the same, she committed suicide.

10. The learned Additional Public Prosecutor also placed the statements of accused Nos.2, 3 and 5, who are none other than the mother, brother and grandmother of accused No.1. In their statements, they have specifically mentioned the role of the petitioners.

11. Whether the allegations made in the complaint and suicide note against the petitioners are true or not; and whether the prosecution has any material, other than the suicide note of the deceased and the statements of accused Nos.2, 3 and 5, to link the petitioners with the crime, the same have to be revealed during the course of investigation, especially investigation is under progress.

12. In **Laxmi Das** case (*supra*), the Hon'ble Supreme Court held that for the purpose of Sections 306 and 107 IPC, mere allegations of harassment, strained relations, or isolated utterances are not sufficient to constitute abetment to suicide. What is required is a clear, proximate, and intentional act of instigation, incitement, or aiding, coupled with *mens rea*, which must be of such a nature that it creates a compelling situation leaving the deceased with no option but to commit suicide. The Courts have consistently held that "instigation" implies a positive act either direct or indirect having a live link and proximity with the act of suicide, and casual remarks,

emotional outbursts, or remote conduct, even if offensive, do not ordinarily satisfy the threshold of abetment under Section 306 IPC.

13. The above said order relied upon by the learned counsel for the petitioner in CrI.P.No.5635 of 2026 is not applicable to the facts and circumstances of the present on the ground that there are specific allegations are levelled in the complaint that accused Nos.2 and 3 gave an interview on Vedhan Media TV of the petitioner/accused No.6 in the presence of the petitioner/accused No.7, wherein they made defamatory statements against the deceased and assassinated her character. The said interview was uploaded on a YouTube channel and circulated on social media. Thereafter, basing on the said reason, the deceased committed suicide. The allegations levelled in the complaint against the petitioners *prima facie* disclose a cognizable offence under Section 108 of the BNS and the Investigating Officer has seized the suicide note of the accused of the deceased and the investigation is under progress.

14. It is relevant to mention that in **State of Haryana v. Bhajan Lal and others**², the Hon'ble Supreme Court delineated the limited scope of the High Court's jurisdiction under Article 226 of the Constitution and Section 482 Cr.P.C. to quash criminal proceedings, holding that such power may be exercised only in exceptional cases

² 1992 Supp (1) SCC 335

where the allegations, even if taken at face value, do not disclose any offence, are inherently improbable, legally barred, or manifestly mala fide, while cautioning that the categories so enumerated are illustrative and the power must be exercised sparingly. The said principles were reiterated in **Neeharika Infrastructure Private Limited v. State of Maharashtra and others**³, wherein it was emphasized that the police have a statutory right and duty to investigate cognizable offences and that Courts should not interdict investigation at the threshold unless no cognizable offence is disclosed on a plain reading of the FIR; the FIR is not expected to be an encyclopedia of all facts, and criminal proceedings ought not to be scuttled at their nascent stage. In the present case, the allegations made in the complaint prima facie attracts the ingredients of the offences under Sections 108 read with 3(5) of the BNS, and as the investigation is still in progress, the petitioner is not entitled to seek quashing of the proceedings at the threshold.

15. For the foregoing reasons, as well as the principles laid down by the Hon'ble Apex Court in **Bhajan Lal and Neeharika Infrastructure Private Limited** *supra*, this Court does not find any ground to quash the proceedings against the petitioners/accused Nos.7 and 6 in F.I.R.No.194 of 2026 of Pocharam IT Corridor Police

³ (2021) 19 SCC 401

Station, Malkajgiri District, while exercising the powers conferred under Section 528 of the BNSS.

16. In the result, both the criminal petitions are dismissed.

Miscellaneous applications, pending if any, shall stand closed.

J. SREENIVAS RAO, J

Date:21.04.2026

L.R. Copy to be marked

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