

**In the Court of II Addl. District & Sessions and Special Judge,
VIJAYAPURA, At: VIJAYAPURA.**

SPL.C SC.ST NO.36/2022

CW No.31

PW No.17

Deposition of : Ramesh Awaji
Father Name : Chandrashekhar
Age : 41 years
Occupation : CPI, Vijayapura Police Circle
Residence : Vijayapura

Duly Sworn on: 18/12/2025.

Examination-in-Chief by Ld. Spl. P.P.:

I was serving as CPI, Golgumbaz Police Circle, since, August-2021 to August-2022.

On 11.06.2022, I have received the Charge of this case for further Investigation from PSI, Jalanagar/C.W.30/P.W.15. I have verified the investigation done by the said Official in this Case.

On the same day, I have orally instructed PSI, Jalanagar/C.W.30/P.W.15 alongwith Women Police Personnel to findout the whereabouts of Accused No.1 and to produced her before me.

On the same day, I have gone to the place; and as per the spot shown by C.W.1/P.W.1, which is the house of deceased Prakash Halli situate at Ekta Nagar, Vijayapura, conducted Spot Mahazar as per Ex.P.10; got drawn the Sketch; got clicked Positive Photograph as per

Ex.P.7, in the presence of two panchas viz., C.W.4/P.W.3 and C.W.5; the said Mahazar proceedings were conducted inbetween 7.00am to 8.00am in the morning. On identification, signature of the witness on the Spot Mahazar/Ex.P.10 is marked as Ex.P.10(b).

On identification, Sketch is marked as Ex.P.49; and signature of the witness is marked as Ex.P.49(a).

On the same day, when I returned to Jalanagar Police Station, PSI, Jalanagar/C.W.30/P.W.15 alongwith WHC-1458 produced Accused No.1 before me at 8.15am. On enquiry, I have arrested Accused No.1 by following the arrest procedure; and at the instance of Accused No.1 I have recorded her Voluntary Statement.

Portion of the Voluntary Statement of Accused No.1, which is an Exculpatory part, leading to discovery, consisting of 'ನನ್ನೊಂದಿಗೆ ಬಂದಲ್ಲಿ ನೀರಿನ ಹೌದದಲ್ಲಿ ಒಗೆದ ಮೊಬೈಲ್, ಉಳಿದ ನಿದ್ರೆ ಗುಳಿಗೆಗಳ ಸ್ಟ್ರಿಪ್ ಮತ್ತು ಆಸ್ಪತ್ರೆಯ ಪೈಲ್ ಅನ್ನು ತೋರಿಸಿ ತಮ್ಮ ಮುಂದೆ ಹಾಜರು ಪಡಿಸುತ್ತೇನೆ' the portion of the statement is marked as Ex.P.50.

On the same day, again PSI, Jalanagar/C.W.30/P.W.15 alongwith his Police staff has apprehended Accused Nos.2 and 3 at Indi Bypass and produced before me at Jalanagar Police Station at 9.30am in the morning. On enquiry, I have arrested the Accused Nos.2 and 3 by following arrest procedures; at their instance, I have recorded their Voluntary Statements.

Portion of the Voluntary Statement of Accused No.2, which is an Exculpatory part, leading to discovery, consisting of 'ನನ್ನ ಹತ್ತಿರ ಇದ್ದ ರಾಜೇಶ್ವರಿ ಇವಳು ಕೊಟ್ಟ ಮೊಬೈಲ್ ಹಾಗೂ ಎಸ್ ಬಿ ಐ ಎಟಿಎಮ್ ಕಾರ್ಡ್ ಮತ್ತು ಕೊಲೆ

ಮಾಡುವ ಕಾಲಕ್ಕೆ ಧರಿಸಿದ್ದ ಬಟ್ಟೆಗಳನ್ನು ಈಗ ತಮ್ಮ ಮುಂದೆ ಹಾಜರಪಡಿಸುತ್ತೇನೆ ಮತ್ತು ನನ್ನೊಂದಿಗೆ ಬಂದಲ್ಲಿ ಪ್ರಕಾಶನಿಗೆ ಕೊಲೆ ಮಾಡಿದ್ದ ಜಾಗೆ ಹಾಗೂ ಕೊಲೆ ಮಾಡಲು ಉಪಯೋಗಿಸಿದ ಸೀರೆ ಒಗೆದ ಜಾಗೆಯನ್ನು ತೋರಿಸುತ್ತೇನೆ' the said portion is marked as Ex.P. 51.

Portion of the Voluntary Statement of Accused No.3, which is an Exculpatory part, leading to discovery, consisting of 'ಕೊಲೆ ಮಾಡುವ ಕಾಲಕ್ಕೆ ಧರಿಸಿದ್ದ ಬಟ್ಟೆಗಳನ್ನು ಈಗ ತಮ್ಮ ಮುಂದೆ ಹಾಜರಪಡಿಸುತ್ತೇನೆ ಮತ್ತು ನನ್ನೊಂದಿಗೆ ಬಂದಲ್ಲಿ ಪ್ರಕಾಶನಿಗೆ ಕೊಲೆ ಮಾಡಿದ್ದ ಜಾಗೆ ಹಾಗೂ ಕೊಲೆ ಮಾಡಲು ಉಪಯೋಗಿಸಿದ ಸೀರೆ ಒಗೆದ ಜಾಗೆಯನ್ನು ತೋರಿಸುತ್ತೇನೆ' the said portion is marked as Ex.P. 52.

On the same day, PSI, Jalanagar/C.W.30/P.W.15 has submitted his Report as per Ex.P.46. On identification, signature of the witness is marked as Ex.P.46(b).

Thereafter, I have got secured two panchas viz., C.W.4/P.W.3 and C.W.5; I have requested the said persons to act as Panchas.

Accused No.2 has produced Oppo Company A-54 Mobile Phone; SBI Bank ATM Card bearing No.5175 7400 1443 4699; half T-Shirt and Ash Colour Jeans pant before me; I have seized the articles by drawing the Seizure Mahazar as per Ex.P.11, got clicked Positive Photograph as per Ex.P.12, in the presence of two panchas viz., C.W.4/P.W.3 and C.W.5; the said Mahazar proceedings were conducted inbetween 11.00 to 11.45am in the morning. On identification, signature of the witness on the Seizure Mahazar/Ex.P.11 is marked as Ex.P.11(b).

On the same day, I have filed P.F. in respect of seized articles before the Jurisdictional Court.

I can identify the materials seized by me, at the instance of Accused No.2.

Now, M.O.11/Oppo Company A-54 Mobile Phone; M.O.12/SBI Bank ATM Card; Black colour Half T-Shirt/M.O.3 and M.O.4/Ash Colour Jeans pant presented in the Open Court shown to the witness and questioned him to identify them. Witness identifies M.O.11, 12, 3 and 4.

Accused No.3 had worned the clothes on securing his different clothes, the clothes worn by him were produced before me, I have seized the said clothes viz., Full Shirt and Blue colour Jeans Pant at Jalanagar Police Station by drawing the Seizure Mahazar as per Ex.P.13, got clicked Positive Photograph as per Ex.P.14, in the presence of two panchas viz., C.W.4/P.W.3 and C.W.5; the said Mahazar proceedings were conducted inbetween 12.40pm to 1.20pm in the afternoon. On identification, signature of the witness on the Seizure Mahazar/Ex.P.13 is marked as Ex.P.13(b).

On the same day, I have filed P.F. inrespect of seized articles before the Jurisdictional Court.

I can identify the seized clothes of Accused No3.

Now M.O.5/Full Sleeves Shirt and M.O.6/Blue colour Jeans Pant present in the Open Court are shown to the Witness and questioned him to identify them. Witness identifies the M.O.5 and M.O.6.

Thereafter, Accused No.1 took us alongwith the panchas to the place of incident and shown the place, wherein she had thrown the Mobile Phone, Hospital file and Tablet strip; she took us to her residence situate at Ekta Nagar, Vijayapura. Accused No.1 contended that, she had thrown the Mobile Phone in a Water sunk/Tank, the said Mobile Phone was retrieved from the Water Tank with the help of Shivaji S/o. Pandit Harijan/C.W.15; Accused No.1 has produced Hospital file wherein the name of the Hospital is written on the file as

Dr. Kalasagond's, Monoliar; and Tablet Strip named as Alphrazolam Tablet (Tablet strip was of 15 tablet, 12 tablets were used and 3 tablets were unused); I have seized the Mobile Phone, Hospital file and Tablet Strip by drawing the Spot-cum-Seizure Mahazar as per Ex.P.15; got clicked Positive Photographs as per Ex.P.16 to Ex.P.19; in the presence of two panchas viz., C.W.4/P.W.3 and C.W.5; the said Mahazar proceedings were conducted inbetween 1.45 to 2.45pm. On identification, signature of the witness on the Spot-cum-Seizure Mahazar/Ex.P.15 is marked as Ex.P.15(b).

On the same day, I have filed P.F. inrespect of seized articles before the Jurisdictional Court.

I can identify the said Mobile Phone, Hospital file and Tablet Strip.

Now, Mobile Phone/M.O.7, Tablet Strip/M.O.8 and Hospital file/M.O.9 present in the Open Court are shown to the Witness and questioned him to identify them. Witness identifies the M.O.7 to M.O.9.

Thereafter, Accused Nos.1 to 3 have shown the place, contending to be the spot of offence; I have conducted the Spot Mahazar of the said spot as per Ex.P.20, got clicked Positive Photograph as per Ex.P.21, in the presence of two panchas viz., C.W.4/P.W.3 and C.W.5; the said Mahazar proceedings were conducted inbetween 3.20 to 4.00pm. On identification, signature of the witness on the Spot Mahazar/Ex.P.20 is marked as Ex.P.20(b).

Thereafter, Accused Nos.2 and 3 took us to a spot, where they had thrown the Saree used for commission of the Crime; they had taken to a place, consisting of an Open space belonging to Arun

Machappanavar, situated towards the westernside of Vijayapura-Kolhar Road; wherein bushes were available on the said spot, they have taken the Saree from the said bushes and they have produced the same before me; I have conducted Spot-cum-Seizure Mahazar as per Ex.P.22, got clicked Positive Photographs as per Ex.P.23 and Ex.P.24, in the presence of two panchas viz., C.W.4/P.W.3 and C.W.5; the said Mahazar proceedings were conducted inbetween 4.15 to 5.15pm in the evening. On identification, signature of the witness on the Spot-cum-Seizure Mahazar/Ex.P.22 is marked as Ex.P.22(b).

On the same day, I have filed P.F. in respect of seized article before the Jurisdictional Magistrate.

I can identify the Saree seized by me.

Now, Saree/M.O.10 present in the Open Court is shown to the Witness and questioned him to identify it. Witness identifies the said Saree.

Thereafter, on returning to Jalanagar Police Station, I have secured the presence of the Complainant/C.W.1/P.W.1 and his grand son/Praneet/C.W.10/P.W.4; on showing Accused No.3 to the said persons, I have recorded the further Statement of Complainant/C.W.1/P.W.1 and Statement of Praneet/C.W.10/P.W.4.

On the same day, I have recorded the Statements of C.W.6, C.W.7/P.W.6, C.W.8, C.W.9/P.W.5, C.W.14/P.W.7, C.W.13, C.W.11, C.W.12/P.W.8 as per Ex.P.29, C.W.15, C.W.16/P.W.6 as per Ex.P.31.

On the same day, I have recorded the Statement of C.W.20/P.W.10 for having got clicked Positive Photograph; and got secured Sec.65B Certificate as per Ex.P.33. On identification, signature of the witness on the Sec.65B Certificate/Ex.P.33 is marked as Ex.P.33(b).

On the same day, I have recorded the Statement of C.W.22/P.W.11, for having presented FIR and Complaint to the Jurisdictional Court.

On the same day, I have produced all the three Accused persons before the Jurisdictional Court alongwith remand application, for which Accused Nos.1 to 3 were remanded to Judicial Custody.

Witness identifies Accused Nos.1 to 3 present in the Open Court today.

On 13.06.2022, C.W.23/CPC-1567 produced the Visceras of deceased Prakash Halli, which he had received from Hospital, after conducting of Postmortem; I have seized the said Visceras by conducting Seizure Mahazar as per Ex.P.25, in the presence of two panchas viz., C.W.4/P.W.3 and C.W.5; the said Mahazar proceedings were conducted inbetween 12.00 to 12.45pm. On identification, signature of the witness on the Seizure Mahazar/Ex.P.25 is marked as Ex.P.25(b).

On the same day, I have filed P.F. inrespect of seized articles before the Jurisdictional Magistrate.

On the same day, I have issued Requisition to District Government Hospital, Vijayapura to furnish the Postmortem Report of deceased Prakash Halli. On identification, the said Requisition is marked as Ex.P.53, signature of the witness is marked as Ex.P.53(a); and secured Postmortem Report as per Ex.P.47 on the same day. On identification, signature of the witness is marked as Ex.P.47(b).

On the same day, I have issued Requisition to AEE, PWD, Vijayapura to furnish the Hand-Sketch of the spot of offence. On

identification, the said Requisition is marked as Ex.P.54, signature of the witness is marked as Ex.P.54(a).

On the same day, I have issued Requisition to AEE, Hescom, Vijayapura to furnish the Report with regard to availability of Electricity supply to the place of incident inbetween 7.00pm of 07.06.2022 till 06.00am of 08.06.2022, as per Ex.P.34. On identification, signature of the witness is marked as Ex.P.34(a).

On the same day, I have issued Requisition to the Tahashildar, Vijayapura to furnish the Caste Certificate of deceased Prakash Halli. On identification, the said Requisition is marked as Ex.P.55, signature of the witness is marked as Ex.P.55(a).

On the same day, I have issued Requisition to the Tahashildar Indi to furnish the Caste Certificates of Accused Nos.2 and 3. On identification, the said Requisition is marked as Ex.P.56, signature of the witness is marked as Ex.P.56(a).

On the same day, I have informed the officials of Woman and Child Welfare Department about arrest of Accused No.1 as per Ex.P.36. On identification, signature of the witness is marked as Ex.P.36(a).

On 14.06.2022, I have informed the officials of CEO, Zilla Panchayat, Vijayapura, with regard to arrest of Accused No.1. On identification, the said Letter is marked as Ex.P.57, signature of the witness is marked as Ex.P.57(a).

On 17.06.2022, I have filed a Requisition before the III Addl. Civil Judge and JMFC, Vijayapura, requesting to record the Statement of Praneet Halli/ C.W.10/ P.W.4 as contemplated U/Sec.164(5) of

CrPC; and presented the said witness for recorded the Statement; accordingly, on the same day, Statement of Praneet Halli/C.W.10/P.W.4 was recorded.

On the same day, I have Written a Requisition to CEN PS, Vijayapura to conduct Mobile Extraction Mahazar of Samsung Mobile Phone/M.O.7 and of Oppo Mobile Phone/M.O.11.

On the same day, I have Written a Letter to S.P., Vijayapura, for securing the Call details pertaining to the Mobile Phones of Accused Nos.1 to 3.

On the same day, I have received a Letter from Woman and Child Development Officer, Vijayapura to return the Mobile Phone of Samsung Company bearing No.7795642751 with Sim No.8991000903465290788U, as the said Mobile Phone with Sim was given to Accused No.1 as a Departmental Mobile Phone and Sim, as per Ex.P.37. On identification, signature of the witness is marked as Ex.P.37(b).

On 18.06.2022, I have secured the Caste Certificates of Accused Nos.2 and 3 from Tahashildar Indi as per Ex.P.42. On identification, signature of the witness is marked as Ex.P.42(a).

On 21.06.2022, I have sent seized Clothes of deceased which were blood stained, Viscera of deceased, Tablet Strip and Polyester Saree for Scientific Investigation to RFSL Belagavi through CPC-1145/C.W.21.

On 22.06.2022, CPC-1145/C.W.21 has furnished the Acknowledgment issued by RFSL, Belagavi. On identification, the said Acknowledgment is marked as Ex.P.58, signature of the witness is marked as Ex.P.58(a).

On the same day, I have recorded the Statement of CPC-1145/C.W.21.

On 24.06.2022, I have issued Requisition to the Tahashildar, Vijayapura to furnish Caste Certificate of Accused No.1. On identification, the said Requisition is marked as Ex.P.59, signature of the witness is marked as Ex.P.59(a).

On the same day, I have sent the seized Mobile Phones for Scientific Investigation to RFSL Hubballi through CPC-1737/C.W.28.

On 25.06.2022, CPC-1737/C.W.28 has furnished the Acknowledgment issued by RFSL, Hubballi. On identification, the said Acknowledgment is marked as Ex.P.60, signature of the witness is marked as Ex.P.60(a).

On the same day, I have recorded the Statement of CPC-1737/C.W.28.

On 14.07.2022, I have secured Caste Certificates of deceased Prakash Halli as per Ex.P.40; and Accused No.1 as per Ex.P.41. On identification, signatures of the witness are marked as Ex.P.40(a) and Ex.P.41(a).

On the same day, I have secured the Report from the Section Officer-III, Hescom, Vijayapura as per Ex.P.35. On identification, signature of the witness is marked as Ex.P.35(b).

On 16.07.2022, I have secured the Hand-Sketch issued by the Assistant Engineer-II, PWD, Sub-Division, Vijayapura as per Ex.P.38, alongwith the Covering letter Ex.P.38(A). On identification, signature of the witness is marked as Ex.P.38(A)(a). I have recorded the Statement of the said Assistant Engineer, PWD, Sub-Division, Vijayapura.

On 18.07.2022, I have issued Requisition to S.M. Hilli Degree College, Hirerugi, Bolegaon, Tq: Indi to furnish the Academic details of Accused Nos.1 and 2. On identification, the said Requisition is marked as Ex.P.61, signature of the witness is marked as Ex.P.61(a).

On 19.07.2022, I have secured the Academic details of Accused Nos.1 and 2 from S M Halli Degree College, Hirerugi, Bolegaon, Tq: Indi as per Ex.P.39. On identification, signature of the witness is marked as Ex.P.39(a).

On 21.07.2022, I have filed a Requisition before the Jurisdictional Magistrate/III Addl. Sr. Civil Judge and JMFC, Vijayapura, seeking permission to incorporate the Provisions of SC/ST (Prevention of Atrocity) Amended Act-2015; and to transfer entire records to the Jurisdictional Court. On identification, True Copy of the said Requisition is marked as Ex.P.62.

Since, the Provisions of SC/ST (Prevention of Atrocity) Amended Act-2015 is attracted in the Crime, so I have handed over the Charge of this Crime for further investigation to C.W.32/DySP., Vijayapura Police Sub-Division, as per the Orders of the S.P., Vijayapura.

(Since, Court, time over. Hence, Cross-examination of P.W.17 is deferred till 2nd half).

Duly Sworn on 2nd half of : 18/12/2025.

**Cross-Examination by: Sri. RSB Adv / Chief LADC, DLSA,
Vijayapura., for Accused No.1:**

It is true to suggest that, in UDR Complaint, as well as in the Complaint/Ex.P.1 the Caste of Complainant is shown as Hindu (Holer) Caste.

It is true to suggest that, deceased Prakash Halli is the son of the Complainant.

It is true to suggest that, in the Inquest Mahazar/Ex.P.5, the Caste of deceased Prakash Halli is shown as Hindu (Holer), at Column No.6.

Now, Accused Search Register Extract pertaining to Accused Nos.1, 2 and 3 is shown to the witness and questioned him to identify whether the Caste of the Accused persons have been mentioned in it. Witness replies that, the Caste of the Accused persons have been mentioned in Column No.4 of the said Register Extract; and the Caste of Accused No.1 is shown as Hindu (Holer); and Accused No.2 is shown as Hindu (Talawar); and Accused No.3 is shown as Hindu (Mali). On confrontation and admission and for identification, the said Register Extracts are marked as Ex.D.4 to Ex.D.6.

On coming to know about the Castes of Accused Nos.1 to 3 and the Caste of the deceased, I have not filed any Requisition to

incorporate the Provisions of SC/ST (Prevention of Atrocity) Amended Act-2015, nor I have informed the same to my Higher authorities. Witness volunteers that, though he came to know about the Caste of the Accused persons, but he was not aware as to under which Category the Accused persons falls within.

I have issued Requisition to the Tahashildar, Indi and the Tahashildar Vijayapura to furnish the Caste Certificates of the Accused persons and deceased Prakash.

It is true to suggest that, Crime involving the offences punishable under the provisions of SC/ST (Prevention of Atrocity) Amended Act-2015 is to be investigated by Police Official not below the rank of DySP.

Question: You have conducted entire Investigation in this Case; and DySP, Vijayapura has filed Charge-sheet ?

Answer: Till the time, I receive the Caste Certificates of the Accused Nos.2 and 3; Accused No.1; and deceased, I have conducted the Investigation; and after receipt of the Caste Certificates, I have filed a Requisition as per Ex.P.62 for incorporation of the provisions of SC/ST (Prevention of Atrocity) Amended Act-2015; and requested the Jurisdictional Magistrate to forward the entire Records to the Jurisdictional Court.

It is false to suggest that, though I was aware about the Castes of Accused Nos.1 to 3 and deceased, at the time of arresting the Accused Nos.1 to 3, but subsequently I have conducted the Investigation without any Jurisdiction.

I have not issued any Written Notice to the panchas viz., C.W.4/ P.W.3 and C.W.5, to secure their presence for conducting Spot

Mahazar/Ex.P.10, Seizure Mahazar/Ex.P.11, Seizure Mahazar/Ex.P.13, Spot-cum-Seizure Mahazar/Ex.P.15, Spot Mahazar/Ex.P.20, Spot-cum-Seizure Mahazar/Ex.P.22 and Seizure Mahazar/Ex.P.25.

Vikram/C.W.4/P.W.3 is the resident of Vijayapura i.e. in front of Court; and Rakesh/C.W.5 is the resident of Rajaji Nagar, Vijayapura, permanent address at Honawad.

I have not got secured the persons, whose names I have shown to be the neighbors to the house of deceased in the Hand-Sketch/Ex.P.49, as Panchas to the Spot Mahazar/Ex.P.10.

It is true to suggest that, I have not investigated the matter by enquiring the neighbors of the house of deceased, in order to ascertain whether Accused No.1, deceased and Praneet/C.W.10/P.W.4 were residing in the house of deceased, shown in the Hand-Sketch/Ex.P.49; with regard to the relationship in between the Accused No.1 and deceased; as to when the Accused No.1 and the deceased were residing and as to when the Accused No.1 has left the house of deceased; nor I have recorded the Statements of such neighbors. Witness volunteers that, he has enquired with the neighbors of the house of deceased, who have not been shown in the Hand-Sketch/Ex.P.49, about the factors mentioned above.

The said neighbors whom I have enquired are Chandru/C.W.11, Nagesh/C.W.14/P.W.7, Ameer Hamja/C.W.16/P.W.9.

The house of deceased Prakash Halli is situated at Ekta Nagar, Vijayapura.

It is true to suggest that, Chandru/C.W.11 is residing at Ibrahimpur, Vijayapura. It is true to suggest that, Nagesh @ Nagaraj/C.W.14/P.W.7 is the resident of Jalanagar, Vijayapura.

It is false to suggest that, I have not enquired the neighbors of the house of deceased Prakash Halli, in this Case.

It is false to suggest that, I have not enquired with the neighbors of the house of deceased Prakash Halli, who are residents of Ekta Nagar, Vijayapura.

I did not have any impediment to enquire the neighbors of the house of deceased Prakash Halli shown in the Hand-Sketch/Ex.P.49.

I have not enquired the brother of Accused No.1 by name Shivaraj Hosamani; and father of Accused No.1 by name Sharanappa Hosamani; nor I have recorded their Statements. I did not have any impediment to enquire them; and record their Statements.

I have not enquired the neighbors of the house of the father of Accused No.1, situate at Keerti Nagar, Vijayapura; and nor recorded their Statements. I did not have any impediment to enquire them; and record their Statements. Witness volunteers that, he has enquired C.W.12/P.W.8 and recorded his Statement.

It is true to suggest that, the said Premanand/C.W.12/P.W.8 is not the immediate neighbor to the house of the father of Accused No.1, situate at Keerti Nagar, Vijayapura. Witness volunteers that, Premanand is residing in the same Lane, where the father of Accused No.1 resides at Keerti Nagar.

It is true to suggest that, Premanand/C.W.12/P.W.8 is a Corporator in City Corporation, Vijayapura.

I have not come across the fact of recording the Phone details through which Praneet/C.W.10/P.W.4 is said to have called to Nagesh/ C.W.14/P.W.7, so also with regard to the Phone details through which

Praneet/C.W.10/P.W.4 is said to have called to Basavaraj/C.W.7/P.W.6.

I have not enquired with the Doctor at Banashankari Hospital, wherein Prakash was taken; and he has been examined and reported to be brought dead.

I had no any impediment to enquire the Doctor at Banashankar Hospital and record his Statement.

I have also not investigated with regard to the Medical Records pertaining to Prakash with Banashankari Hospital.

I have not taken the help of Fingerprint Expert to ascertain whether any fingerprint of Accused No.1 is found in the Bedroom, Hall or the Main Door of the house of deceased Prakash.

I have not come across during the course of my investigation that, Accused No.1 was having extra marital affair with Accused No.2.

It is true to suggest that, Basavaraj/C.W.7/ P.W.6 has contended before me that, 'ಅಪ್ಪು ನಿನ್ನ ದಿನಾಂಕ: 07.06.2020 ರಂದು ರಾತ್ರಿ 11.00 ಗಂಟೆಗೆ ಮನೆಗೆ ಬಂದು ಊಟ ಮಾಡಿ ಟಿ.ವಿ. ನೋಡುತ್ತಾ ಕೂತಿದ್ದನು. ನಾನು ಅವರ ಜೊತೆ ಟಿ.ವಿ. ನೋಡುತ್ತಿದ್ದೆನು. ನಮ್ಮ ತಾಯಿ ಮಲಗಿಕೊಂಡಿದ್ದಳು ರಾತ್ರಿ 12.30 ಗಂಟೆಗೆ ಅಪ್ಪು ಟಿ.ವಿ. ಬಂದು ಮಾಡಿ ಬೆಡ್ ರೂಮ್ ನಲ್ಲಿ ಹೋಗಿ ಮಲಗಿಕೊಂಡನು ----- ಹೇಳಿದ್ದರು ಅಂತಾ ಹೇಳಿದ್ದನು'; and the same is shown in his Statement, the said portion is already marked as Ex.D.1.

Nagesh/C.W.14/P.W.7 has narrated before me that, he belongs to Hindu (Holer) Caste; and the same is shown in his Statement, the said Portion is already marked as Ex.D.2.

It is true to suggest that, Nagesh/C.W.14/P.W.7 has narrated before me that, 'ಬಲಕಿವಿಯಲ್ಲಿ ರಕ್ತ ಬಂದಿದ್ದರಿಂದ'; and the same is shown in his Statement. The said portion is already marked as Ex.D.3.

On the basis of Nail marks found on the Neck of the deceased as shown in the Postmortem Report/Ex.P.47, inorder to verify the same, I have not obtained any Nail clippings or measurements of the Nails of Accused Nos.1 to 3.

I have not conducted any Investigation to the effect that, so as to ascertain as to where the Tablet strip/M.O.8 was purchased, when it was purchased and what is its batch number.

It is false to suggest that, the Corporation people come and pick the Garbage everyday from the spot shown in the Spot-cum-Seizure Mahazar/Ex.P.22.

I have not come across any matrimonial dispute or litigation existing inbetween deceased Prakash and his wife Accused No.1, during the course of my investigation.

It is false to suggest that, we have got retained Accused No.1 in Jalanagar Police Station from 08.06.2022, as the said date is shown in Ex.P.37.

It is false to suggest that, on retaining Accused No.1 in Jalanagar Police Station, we have obtained the Complaint as per Ex.P.6 against the Accused No.1, though initially U.D. Complaint was filed as per Ex.P.1.

It is false to suggest that, neither Accused No.1 nor her son Praneet/C.W.10/P.W.4 were available in the residence of deceased Prakash, on the day of death of Prakash.

It is false to suggest that, there is no nexus inbetween the Accused and the alleged murder of her husband/Prakash.

I have not recorded the Statement of the Doctor, who has issued the Medical file/M.O.9, got seized under Spot-cum-Seizure Mahazar/ Ex.P.15.

It is false to suggest that, I am deposing falsely that, I have conducted the Spot Mahazar as per Ex.P.10, as per the spot shown by C.W.1/P.W.1, as contended by me in my examination in chief.

It is false to suggest that, I am deposing falsely that, I have discovered Samsung Mobile Phone/M.O.7, Hospital file/M.O.9, Tablet Strip/M.O.8, at the instance of Accused No.1; and got seized the said articles by drawing the Spot-cum-Seizure Mahazar as per Ex.P.15, as contended by me in my examination in chief.

It is false to suggest that, I am deposing falsely that, Accused No.1 has given any Voluntary Statement as per Ex.P.50, as contended by me in my examination in chief.

It is false to suggest that, I am deposing falsely that, at the instance of Accused No.1 and other Accused persons, I have got confirmed the spot of incident; and have got drawn the Spot Mahazar as per Ex.P.20, as contended by me in my examination in chief.

It is false to suggest that, I have not conducted the Investigation properly in this Case; and on enquiring the friends of deceased, I have got created the documents during the course of investigation to suit the purpose.

Cross-examination by Sri. MSB Adv for Accused No.2:

It is false to suggest that, Accused Nos.2 and 3 are having no any nexus for the death and cause of death of deceased Prakash; so also Accused Nos.2 and 3 are having no any nexus with Accused No.1.

It is false to suggest that, I have rope Accused Nos.2 and 3 in this Crime, at the instance of C.W.1/P.W.1, C.W.7/P.W.6, C.W.13 and C.W.14/P.W.7.

It is false to suggest that, I am deposing falsely that, PSI, Jalanagar PS/C.W.30/P.W.15 had apprehended Accused Nos.2 and 3 at Indi Bypass and produced before me.

It is false to suggest that, Accused No.2 is apprehended at Hirerugi village from the house of his grandfather; and Accused No.3 is apprehended from Hirerugi village from his residence.

It is false to suggest that, I have conducted investigation in this Case, without any Jurisdiction, as the situation involved in this case requires investigation of the Case by the Police Office not below the rank of DySP.

It is true to suggest that, all the Spot and Seizure Mahazar viz., Ex.P.10, Ex.P.11, Ex.P.13, Ex.P.15, Ex.P.20, Ex.P.22, Ex.P.25 and Ex.P.26 are Computerized Mahazars.

It is false to suggest that, I am deposing falsely that, Accused No.2 has given Voluntary Statement as per Ex.P.51 and Accused No.3 has given his Voluntary Statement as per Ex.P.52, as contended by me in my examination in chief.

It is false to suggest that, I am deposing falsely that, at the instance of Accused No.2, Oppo Phone/ M.O.11, SBI ATM Card/ M.O.12, Black colour T-Shirt/ M.O.3 and Ash Colour Jeans pant/M.O.4 were seized by me by drawing the Seizure Mahazar as per Ex.P.11, as contended by me in my examination in chief.

It is false to suggest that, I am deposing falsely that, at the instance of Accused No.3, I have seized Shirt/ M.O.5 and Blue colour

Jeans pant/ M.O.6 by drawing the Seizure Mahazar as per Ex.P.13, as contended by me in my examination in chief.

It is false to suggest that, I am deposing falsely that, I have got confirmed the spot of incident, at the instance of Accused Nos.2 and 3; and got drawn the Spot Mahazar as per Ex.P.20, as contended by me in my examination in chief.

It is false to suggest that, I am deposing falsely that, I have seized Saree/M.O.10 at the instance of Accused Nos.2 and 3; and have drawn the Spot-cum-Seizure Mahazar as per Ex.P.22, as contended by me in my examination in chief.

It is false to suggest that, I am deposing falsely that, I have got drawn the Mobile extraction Mahazar as per Ex.P.26, in respect of Oppo Mobile Phone/M.O.11 and Samsung Mobile Phone/M.O.7, as contended by me in my examination in chief.

Cross examination by: Sri.BSS Adv for Accused No.3:

I have not conducted any Test Identification Parade, with regard to identification of Accused No.3.

(Sri. BSS Adv for Accused No.3 adopts the Cross-examination done to the witness on behalf of Accused No.2).

Re-Examination: Nil.

(Typed to my dictation in the open Court)

R.O.I. & A.C.

(ABDUL-RAHIMAN .A. NANDGADI)
II Addl. District & Sessions & Spl.Judge,
VIJAYPURA.