

IN THE COURT OF THE PRL. DISTRICT AND SESSIONS
JUDGE, BAGALKOTE

SC. No. 33/2022

Name : Dr. Vidyashankar N. P.W-10
Father's name : Nanjundaswamy CW-29
Age : 53 years
Occupation : Medical Officer, Government Taluka
Hospital, Ilakal.
Resident of : Ilakal
Witness duly sworn on 06.04.2024

Examination-in-Chief by learned Public Prosecutor

Since January, 2021 till this day, I am working as Medical Officer at Government Taluka Hospital, Ilakal.

2. On 11.01.2022 at about 02.00 a.m a lady by name Ranuka W/o Gyanappa Pujari aged about 25 years was brought by Ilakal police with history of assault. On examination I found the following injuries;

- 1] Lacerated wound over left side of the scalp
about 3x1 c.m.
- 2] Contusion 5x3 c.m present on the right side of
scalp.

On the basis of examination I have noted that the above said injury No.1 and 2 are simple in nature. I had also referred the patient to District Hospital Bagalkot for CT scan. As per the CT scan report the victim had not sustained any fracture to the head. In this regard I have issued wound certificate, it is marked as Ex.P-17 and my signature is at Ex.P-17(a).

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Cross-examination by Sri. SCH counsel for the accused

It is true that, there is difference between cut lacerated wound and lacerated wound. It is true that in the wound certificate I have not noted the types of injury and colour of injury. It is true that in the wound certificate there is no mention about referring the patient to district hospital to CT scan. It is false to state that I have furnished wound certificate at the request of police officials.

Re-examination: Nil.

(Typed to my dictation in open court on computer)

R O & A C

Prl. Dist. & Sessions Judge, Bagalkote.

IN THE COURT OF THE PRL. DISTRICT AND SESSIONS
JUDGE, BAGALKOTE

SC. No. 33/2022

Name : Dr. Priyadarshini Dashavant P.W- 9
Father's name : Ashok CW- 27
Age : 35 years
Occupation : Medical Officer, PHC, Karadi.
Resident of : Karadi

Witness is present and duly sworn on 06.04.2024

Examination-in-Chief by learned Public Prosecutor

Since June, 2021 to till this day, I am working as Medical Officer, at PHC, Karadi.

On 11.01.2022 I received a requisition from CPI, Hunagund to conduct postmortem on the dead body of one Allasab Husensab Nadaf resident of Chatnihal. On the basis of said requisition I have conducted postmortem on the dead body of Allasab Nadaf from 03.10 p.m to 04.30 p.m.

As per my examination the deceased was aged about 28 years years, moderately built and nourished, blood present in mouth, right ear and both nostrils, postmortem lividity present over back and buttocks, limbs were extended and the body was in supine position and rigor-mortise preset in the whole body. I noticed the following external injuries:

- 1] Abrasion around 2x2 cm present over right leg and 4 to 5 c.m below the knee joint.
- 2] Abrasion over 1x1 cm present over back near left shoulder joint.

- 3] Abrasion present over extensor surface of elbow joint on both hands (U.L).
- 4] Contusion measuring 7 to 8 c.m x 2 to 3 c.m on temporal area.
- 5] Constusion measuring 6 x 4 c.m on zygomatic bone.

The following internal injuries;

1. Fracture of temporal bone extending to partial bone
2. Blood clots measuring around 100 to 150 cc beneath the temporal bone.
- 3] The duramater was torn

2. All the injuries noted above are antimortem in nature and within 12 to 24 hours. The cause of death is due to hemorrhagic shock due to injury to vital organ brain which may be caused by injury sustained to head. In that regard I have issued postmortem report. Now I am seeing the postmortem report issued by me the same is marked as Ex.P-15 and my signature is marked as Ex.P-15(a).

3. On 28.03.2024 the ASI Ilakal Rural PS sent a requisition along with wooden handle of Axe and two wooden sticks to ascertain if the injuries sustained to the deceased could be caused with the said weapons. On the basis of said requisition I have examined the articles and on the same day I have furnished my opinion stating that there is a possibility of sustaining the injuries noted in the P.M report, if assaulted with the said articles brought for examination and death could be caused if a person is assaulted with such a weapon. Now I am seeing the

opinion furnished by me is marked as Ex.P-16 and my signature is at Ex.P-16(a). I am seeing the articles sent for my examination, which are already marked as M.O-18/wooden handle of Axe and wooden sticks as MO-6.

Cross-examination by Sri. SCH Advocate appearing for the accused

It is true that the external injury No.1 to 3 could occur if a person comes in contact with rough surface. It is true that there is possibility that injury No.4 and 5 could occur if a person falls on a hard surface. It is true that there are different kinds of fractures. On the basis of the fracture noted we can ascertain the weapon used for causing the fracture. It is false to state that since I have not stated the kind of fracture sustained to the deceased I am unable to state the kind of weapon used for assault. Witness voluntarily states that the deceased had sustained comminuted fracture. On the basis of my examination I am stating that the deceased had sustained comminuted fracture. It is false to state that comminuted fractures occurs only if a person falls on a hard surface. It is true that temporal bone consists of 4 regions. It is true that in the PM report I have not stated in which part of temporal bone the deceased has sustained the fracture.

The witness is shown the photographs marked in Ex.P-3.

Q: The learned counsel for the accused has asked the witness by showing the photographs that the fracture to the temporal bone could occur if a person is pushed and comes in contact with the hook and the edge of the wall.

Ans: The witness states that to sustain fracture to temporal bone more force is required and fracture to temporal bone would not occur if a person comes in contact with the hook and the wall.

It is true that at the time of examination of MO-18 and 6 I did not notice any blood stains on the said articles. It is false to state that I have furnished my PM report and opinion at the request of police officials.

Re-examination: Nil.

(Typed to my dictation in open court on computer)

R O & A C

Prl. Dist. & Sessions Judge, Bagalkote.

ಪ್ರಧಾನ ಜಿಲ್ಲಾ ಮತ್ತು ಸತ್ರ ನ್ಯಾಯಾಲಯ, ಬಾಗಲಕೋಟೆ

ಸತ್ರ ಮೊಕದ್ದಮೆ ಸಂಖ್ಯೆ. 33/2022

ಹೆಸರು : ಹುಚ್ಚವ್ವು ತಿಮ್ಮಸಾಗರ ಪ್ರಾ.ಸಾ-11
ತಂದೆಯ ಹೆಸರು : ಹನಮಂತಪ್ಪ ಚಾಸಾ-26
ವಯಸ್ಸು : 35
ಉದ್ಯೋಗ : ಮಹಿಳಾ ಪೊಲೀಸ ಪೇದೆ-1410 ಇಲಕಲ್ಲ ಗ್ರಾಮೀಣ ಪಿ
ಎಸ್
ವಿಳಾಸ : ಇಲಕಲ್ಲ

ದಿ: 06.04.2024 ರಂದು ಸಾಕ್ಷಿಯನ್ನು ಕರೆಯಿಸಿ ಪ್ರಮಾಣ ವಚನ ಬೋಧಿಸಲಾಯಿತು.

ಮುಖ್ಯ ವಿಚಾರಣೆ: ಸರ್ಕಾರಿ ಅಭಿಯೋಜಕರಿಂದ

ನಾನು 2019 ರಿಂದ ಇಲಕಲ್ಲನ ಗ್ರಾಮೀಣ ಪೊಲೀಸ ರಾಣೆಯಲ್ಲಿ ಮಹಿಳಾ ಪೊಲೀಸ ಪೇದೆ ಅಂತಾ ಕರ್ತವ್ಯ ನಿರ್ವಹಿಸುತ್ತಿದ್ದೇನೆ.

2. ದಿ: 22.03.2022 ರಂದು ನಮ್ಮ ಸಿಪಿಐ ರವರ ಆದೇಶದ ಮೇರೆಗೆ ಚಾಸಾ-6/ರೇಣುಕಾ ಎನ್ನುವವರನ್ನು ಮಾನ್ಯ ಹೆಚ್ಚುವರಿ ಜೆ ಎಂ ಎಫ್ ಸಿ ಹುನಗುಂದ ನ್ಯಾಯಾಧೀಶರ ಮುಂದೆ ಕಲಂ 164 ಸಿ ಆರ್ ಪಿ ಸಿ ಅಡಿಯಲ್ಲಿ ಹೇಳಿಕೆ ಪಡೆದುಕೊಳ್ಳುವ ಕುರಿತು ಕರೆದುಕೊಂಡು ಹೋಗುವಂತೆ ಆದೇಶ ಮಾಡಿದ್ದರು, ಅದರಂತೆ ನಾನು ಚಾಸಾ-6/ರೇಣುಕಾ ರವರನ್ನು ಜೆ ಎಂ ಎಫ್ ಸಿ ಹುನಗುಂದ ರವರ ಮುಂದೆ ಕರೆದುಕೊಂಡು ಹೋಗಿ ಹಾಜರುಪಡಿಸಿರುತ್ತೇನೆ ಮತ್ತು ನ್ಯಾಯಾಧೀಶರ ಚಾಸಾ-6 ರವರ ಹೇಳಿಕೆಯನ್ನು ಪಡೆದುಕೊಂಡಿರುತ್ತಾರೆ. ಈ ವಿಚಾರವಾಗಿ ನಾನು ಚಾಸಾ-34 ರವರಿಗೆ ವರದಿ ನೀಡಿರುತ್ತೇನೆ. ಸಾಕ್ಷಿ ಸದರಿ ವರದಿ ನೋಡಿ ಗುರುತಿಸಿದ್ದು ಅದನ್ನು ನಿಪಿ-18 ಎಂದು, ಸಾಕ್ಷಿ ಸಹಿಯನ್ನು ನಿಪಿ-18(ಎ) ಎಂದು ಗುರುತಿಸಲಾಯಿತು.

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ಪಾಟೀ ಸವಾಲು: ಆರೋಪಿತರ ಪರ ವಕೀಲರಿಂದ

ನನ್ನ ವರದಿಯಲ್ಲಿ ಚಾಸಾ-34 ರವರು ನೀಡಿದ ಮನವಿ ಪತ್ರದ ಬಗ್ಗೆ ಉಲ್ಲೇಖ ಇರುವುದಿಲ್ಲ ಎಂದರೆ ಸರಿ. ಚಾಸಾ-6 ರವರಿಗೆ ನಾವು ಬಲವಂತವಾಗಿ ನ್ಯಾಯಾಧೀಶರ ಮುಂದೆ ಹೇಳಿಕೆ ನೀಡಬೇಕು ಎಂದು ಹೇಳಿ ಅವರ ಕಡೆಯಿಂದ ಹೇಳಿಕೆ ಕೊಡಿಸಲಾಗಿದೆ ಎಂದರೆ ಸರಿಯಲ್ಲ.

ಮರು ವಿಚಾರಣೆ ಇಲ್ಲ

(ಮುಕ್ತ ನ್ಯಾಯಾಲಯದಲ್ಲಿ ನನ್ನ ಉಕ್ತ ಲೇಖನದಂತೆ ಬೆರಳಚ್ಚು ಮಾಡಲಾಯಿತು)

ಓ. ಹೇ. ಕೇ. ಸರಿ ಇದೆ ಎಂದು ಒಪ್ಪಿದರು

ಪ್ರಧಾನ ಜಿಲ್ಲಾ ಮತ್ತು ಸತ್ರ ನ್ಯಾಯಾಧೀಶರು
ಬಾಗಲಕೋಟೆ.

