

**II ADDITIONAL DISTRICT & SESSIONS JUDGE,
BENGALURU RURAL DISTRICT, BENGALURU**

Spl. Case No. 59/2010

PW.23 CW.78

Witness Name : Dr. Alamelamma,
Husband's Name : Late N. Panduranga,
Age : 58 years,
Occupation : General Physician,
Government Hospital, Shivajinagar,
Residence : Bengaluru.

Witness duly sworn on 02.12.2022

CHIEF EXAMINATION : BY SPECIAL PP

From January 2001 to July 2010 I served as Medical Officer in Devanahalli Taluk Hospital.

2. On 13.02.2010 at 9 a.m. I received a requisition from I.O. in this case to conduct autopsy of deceased by name Smt. Gayathamma. The body was in the mortuary of Hospital and was identified by the Staff of Vishwanathapura PS. Between 9 a.m. and 10.30 a.m. I conducted the autopsy of the dead body in the mortuary.

3. The body was of female, moderately built. Rigor mortis was seen in extremities and PM staining was seen on the

dependent parts of the body.

4. On examination I found following injuries;

1) A clear cut incised wound which was sutured was present over the right side of the front of abdomen measuring around 3 cm in length. Depth could not be known when seen externally.

2) Abrated wound present over the right hand.

3) Abrated wound over external aspect of right wrist joint.

4) There was severe degree of pallor present in the extremities and in the tongue and peripheries.

5. On dissection I found skull and brain membranes were intact. Chest was clear and lungs were intact and pale. Heart was intact and both ventricles were half filled.

6. On dissecting the injury at the right front side of the abdomen I found the underlying peritoneum was incised ie cut clearly and clotted blood was present in the peritoneal cavity. The greater curvature of the stomach was damaged ie clear cut wound was seen. Semi digested food was seen and it was mixed with clotted blood. The coils of small and ascending colon were severely damaged with clear incised

wound. The right lobe of the liver was intact. The left lobe of the liver was clearly cut ie it was incised wound.

7. Spleen was intact and pale. Urinary bladder was intact and empty.

8. In my opinion death is result of shock and hemorrhage secondary to severe damage to intra abdominal organs. The wounds are antemortem in nature and are occurred 20 to 24 hours duration before the postmortem examination.

9. The document now shown to me is the PM report issued by me. It is marked at Ex.P.36. The signature of witness is marked at Ex.P. 36(a).

10. On 29.03.2010 a Police staff of Doddaballapura PS had brought a packed article with seal description being "A". The article was packed in white bag. The seals were intact. It was sent for my examination and opinion. On opening the bag I found a dagger (ಚೂರಿ). On examining the weapon in my opinion the injury at the abdomen on the deceased Gayathamma found by me while PM examination could be caused with weapon like it. Accordingly I have given my

opinion. The document now shown to me is the said opinion given by me. It is marked at Ex.P. 37 and the signature of witness on it is marked at Ex.P. 37(a). After examination I repacked the said article and sealed it and handed over it to the Staff of Doddaballapura PS. I can identify the weapon examined by me if shown to me. On seeing M.O. 2 dagger the witness states that weapon like M.O. 2 was produced before me for my examination and I examined it.

11. The injury at abdomen of the deceased Gayathamma described in Ex.P. 36 could be caused with weapon like M.O. 2.

Cross examination: Counsel Sri. SS for accused no.5 and 6

12. I did not ascertain where the dead body of Gayathamma was prior to 9 a.m. on 13.02.2010. I agree with the suggestion that the Doctor who treat the injured would be in a better position to explain the nature of injury. I have noticed only one injury on the abdomen of deceased. It is incorrect to suggest that when a person has taken full meals then even if there is a small incised wound the coils of the intestine would protrude from the incised wound.

13. I have gone through the Texts on Medical jurisprudence by Jurists like Dr. Parikh, Modi and author like Narayana Reddy. I generally agree with their opinion.

14. I agree with the suggestion that in general external blood stains at the site of wound is an indication of injury being antemortem. To the suggestion that I have not mentioned presence of blood stains at the site of three injuries described in Ex.P. 36 witness agrees with it and further states that since the injury at the abdomen was sutured there were no stains. Injury no. 2 and 3 ie abrasions are simple in nature. Those two abrasions could be caused on fall on rough surface as suggested.

15. To the suggestion that when the injury at abdomen was already sutured as per your description in Ex.P. 36 you were not in a position to identify whether the said injury is incised, lacerated or stabbed, the witness states that to prevent the blood loss the Doctor who treated her might have sutured the injury however I could find the edges of injury being clear cut. It is true to suggest that incised wound is three dimensional. It is true to suggest that depth is in the center of the incised wound. It is true to suggest that I am not aware of the breadth and depth of injury at

abdomen of deceased. To the suggestion that you are also not aware of length of the injury at abdomen the witness states that I have mentioned it has 3cm. It is true to suggest that the said length is the length of suturing.

16. I am aware of distinction between a dagger (ಚೂರಿ), knife and pen knife. It is true to suggest that if a knife which is sharp at the one side of the blade and blunt at other side of the blade is used in stabbing then it would cause wedged shaped injury. It is true to suggest that if a weapon like Churi (ಚೂರಿ), which is sharp at both sides of the blade, is used in stabbing then the nature of injury would be elliptical.

17. To the suggestion that when a knife is drawn against the skin it would cause inverted edges the witness states that in majority cases it is so. It is true to suggest that when a weapon after stabbing is removed the edges would be everted. I agree with the suggestion that in case of incised wound the width corresponds to thickness of weapon. I agree with the suggestion that in case of stab wound the depth of injury corresponds to the length of the blade of weapon. I agree with the suggestion that in case of stab the width of injury corresponds to width of the weapon.

18. I may agree with the suggestion that if M.O. 2 is used in stabbing then it may cause wedged shaped wound. It is true to suggest that in Ex.P. 36 I have not described what is the shape of injury at abdomen.

19. It is true to suggest that M.O. 2 is not a Churi (ಚೂರಿ) but a knife.

20. I am unable to remember at what time I received M.O. 2 for examination on 29.03.2010. It is true to suggest that whenever a requisition is given by I.O. for examination of weapons it would be first received in the office of the Hospital and thereafter inward number would be given and thereafter would be forwarded to concerned Doctor. I have received requisition of I.O. for examining M.O. 2. I have not brought it today. It is true to suggest that while giving opinion reference would be made to the requisition letter and its date. In our Hospital the registers pertaining to brought dead and postmortem examination are maintained. At the time of conducting autopsy we would prepare notes. Based upon the notes entries would be made in the postmortem registers. It is true to suggest that whenever a requisition is given by I.O. regarding PM report the extract of PM register would be furnished.

21. The type of food found in the stomach of deceased is not mentioned by me in Ex.P. 36. It is true to suggest that time of death would be calculated on the basis of extent of digestion of food, colour of blood, rigor mortis and PM lividity. In Ex.P. 36 I have not mentioned the colour of blood. It is true to suggest that setting in of rigor mortis depends of climatic conditions. Now I can't say what was the climatic condition on 13.02.2010. I agree with the suggestion that it takes 36 hours for rigor mortis to fully develop. Extremities mentioned in Ex.P. 36 includes both upper and lower extremities. It is true to suggest that I have not mentioned so specifically in Ex.P.36.

22. It is true to suggest that in Ex.P. 37 I have not mentioned the dimensions of Churi (ಚೂರಿ) weapon examined by me. It is true to suggest that in Ex.P. 37 I have opined that the injury to abdomen could be caused in case of stab. It is true to suggest that in Ex.P. 37 I have not mentioned regarding referring to PM report at the time of giving said opinion. It is true to suggest that in Ex.P. 37 I have not mentioned the reasons for my opinion.

Cross examination: Counsel Sri. MRN for A1 and 12

23. I did my Master Degree in General Medicine. It is true to suggest that a person with qualification as MD in Forensic and Toxicology would be qualified and competent person to conduct PM examination. Witness voluntaries that even for me there was a subject regarding Forensic and Toxicology. It was a minor subject for me and I have studied it for 6 months. To the question that have you directed I.O. to take the body to a qualified Doctor for PM examination when I.O. gave requisition the witness states that now I do not remember. Competent Doctor with above qualification was not there in the Devanahalli Hospital in the year 2010.

24. It is true to suggest that at the time of conducting PM examination I am supposed to mention the clothes found on the dead body. It is true to suggest that I am supposed to mention the condition of clothes on the deceased like where it is torn, loss of button, dis arrangements, struggle marks, etc. It is true to suggest that I am supposed to mention the blood stains on the clothes. The witness voluntaries that in this case it was not possible because the deceased was treated in the Hospital. It is true to suggest that I have not mentioned the presence of clothes on the deceased in Ex.P.

36.

25. It is incorrect to suggest that M.O. 2 was not repacked and sealed by me at the time of returning it to the I.O. It is incorrect to suggest that M.O. 2 was not at all examined by me. It is incorrect to suggest that since I have not mentioned the shape, ends and edges of the wound, shape and dimensions of internal wound in Ex.P. 36 I am not competent to give opinion on said M.O. 2 weapon. I do not agree with the suggestion that injury at abdomen mentioned in Ex.P. 36 could not be caused with M.O. 2 weapon. I do not agree with the suggestion that my opinion in Ex.P. 37 is not scientific.

Cross examination: Counsels for other accused submit that they would adopt the aforesaid cross examination.

Re-examination: Nil.

(The statements of witness is recorded in the open court as stated by her and it contains true account of her statements and is read over to her and admitted by her to be correct)

R.O.I. & A.C.

(V. M. Anandashetti)
II Addl. District & Sessions Judge,
Bengaluru Rural District, Bengaluru.