

Vide order dated 06.04.2023 the witness is recalled for
further examination

Witness duly sworn on 13.04.2023

Further chief examination: By Public Prosecutor

6. On the direction of PW.28 on 12.02.2010 between 05.00 p.m. and 08.00 p.m. I conducted the inquest of deceased Doddachinnappa in the mortuary of Devanahalli Government

Hospital. There was sufficient light in the mortuary at that time. I conducted the inquest in presence of PW.19, CW.34 and 35.

7. On the deceased Doddachinnappa near the umbilical region I noticed a stab wound from which the intestine had come out. There was another stab wound at the left abdomen region and the intestine had come out even from that injury. The document now shown to me is the report of the inquest conducted by me. It is already marked at Ex.P.27. The witness identifies his signatures on Ex.P.27 and his signature on last page of Ex.P.27 is marked at Ex.P.27(b). I can identify the clothes found on the deceased Doddachinnappa at the time of inquest. M.O.16 to 18 now shown to me were the very clothes found on the said deceased. I also recorded the statement of CW.37 and 38.

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

8. It is true that in Ex.P. 27 column no.3 I have mentioned that deceased Doddachinnappa was given first aid at Devanahalli Government Hospital and thereafter was being taken to Bowring Hospital for higher treatment at the advice of Doctor.

9. PW.28 took investigation of the case from me at 04.00 p.m. on 12.02.2010. At that time PW.28 was in the Police Station for about half an hour. Before arrival of PW.28 to the Police Station on that day I had dispatched FIR and complaint to the court. I did not obtain information as to when the FIR and complaint reached the court.

10. By 04.30 p.m. I left the Police Station to the Government Hospital, Devanahalli, along with CPI/PW.29 and DySP / PW.28. In the hospital on that day I was till 08.30 p.m.

11. I do not agree with the suggestion that a person could have reached the house of the presiding officer of the court in the night from Devanahalli within half an hour. The PW.1 to 4 were also in the Hospital at the time of drawing inquest.

12. I do not know whether PW.1 does not know reading and writing. I have not enquired him about it. It is true that after reading the complaint Criminal Case is registered showing which offences are committed. It is true that if the complaint is received in the Police Station after making endorsement regarding date and time of its receipt the seal of the SHO would be affixed. If the complaint is received at

other places then date and time of its receipt would be endorsed. At that time seal of the SHO would not be affixed. It is true that in Ex.P.1 below my signature the seal of the Police Station is not affixed. It is incorrect to suggest that when I, PW.28 and 29 were in the Devanahalli Government Hospital at 07.30 p.m. the PW.4 gave Ex.P.1 to me there after obtaining the signature of PW.1 to it.

13. It is true that in Ex.P.42 column no.12 the time of dispatch is mentioned as 04.30 p.m. on 12.02.2010. To the question that as per Ex.P.1 the time of incident is 09.45 a.m. and it is received in the Police Station at 03.30 p.m. have you enquired the PW.1 as to why there is delay the witness states that I have not enquired him regarding it. I have not recorded statements of any of the eye witnesses.

14. The Chapparadakallu Bus Stop situated along Devanahalli - Doddaballapura road is at a distance of 1km from Vishwanathapura Police Station. The PW.28 had not furnished the identifying features of accused no.4 and 5 to me. Near Chapparakallu Bus Stand there are shops and residential houses. I produced accused no.4 and 5 before PW.28 about 09.30 p.m. at Vishwanathapura Police Station. I do not know the accused no.4 and 5 were lodged in the Vishwanathapura Police Station lockup on that day. It is true

that accused no.4 and 5 are residents of Dyavarahalli village. It is incorrect to suggest that on intimation by PW.28 the accused no.4 and 5 voluntarily came to Vishwanathapura Police Station on 13.02.2010 and at that time they were arrested. I am personally not acquainted with accused no.4 and 5. It is incorrect to suggest that at the instance of PW.28 I am deposing falsely that I arrested accused no.4 and 5 on 12.02.2010 at 09.00 p.m. in Chapparakallu Bus Stand. Ex.P.27 is in my handwriting. It is incorrect to suggest that Ex.P.27 was prepared by PW.28 on 14.02.2010 and I have just put my signature to it.

Cross examination: By Sri. MRN counsel for A1 and 12

15. It is true that if one has to go to Devanahalli from Dyavarahalli village he has to pass through Vishwanathapura village.

Cross examination: counsels for all other accused adopt the afore said cross examination.

Re-examination: Nil

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

R.O.I. & A.C.

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