

**Government of Karnataka
(C.R.P.67)**

**BEFORE THE 1st ADDL. DISTRICT AND SESSIONS
COURT, CHIKKAMAGALURU.
SPL.C.No. 87/2017**

P.W.- 12

C.W.- 16

Duly Sworn on: 29-01-2025

Witness Name : Dr. Vijayalakshmi
Husband's Name : Dr. Umeshbhat
Age : 48 years
Occupation : Medical Officer, MGM
Hospital, Mudigere
Place of Residence : Mudigere

Examination in Chief by Spl. Public Prosecutor:-

I am working as Medical Officer at M.G.M. Hospital, Mudigere since July- 2015.

2. On 05-04-2017 at 10.45 a.m, one Diwakar S/o Late Shivanna, aged about 20 years, resident of Daradahalli Village i.e. P.W.2 was brought to our hospital by his friend Mahesh with the history of assault by one Prathap manually on the same day i.e., on 05-04-2017 at about 9.30 a.m. at Kadadal road.

2. On examination of said Diwakar, I have noted the following injuries;

- i. An abrasion over left forearm on middle 1/3 rd portion.
- ii. Presence of tenderness over right hip

joint.

3. In my opinion the age of said injuries was less than 6 hours from the time of examination and the same were simple in nature. In the said regard, I issued wound certificate and the same was collected by the concerned police on 17-04-2017. Now I see the said wound certificate and it bears my signature and the same is marked as Ex.P.30 and signature of the witness is marked as Ex.P.30(a).

4. On the same day at 10.45 a.m., one Gopal S/o Late Siddaiah, aged about 19 years, resident of Daradahalli Village i.e. P.W.3 was brought to our hospital by his friend Mahesh with the history of assault by one Prathap manually on the same day i.e., on 05-04-2017 at about 9.30 a.m. at Kadadal road.

5. On examination of said Gopal, I have noted the following injuries;

- i. An abrasion over left fourth and fifth toe.
- ii. Presence of tenderness over left ankle joint.
- iii. Presence of tenderness over lower back region.

6. In my opinion said injuries were simple in nature. In the said regard, I issued wound Certificate

and the same was collected by the concerned police on 17-04-2017. Now I see the said wound certificate and it bears my signature and the same is marked as Ex.P.31 and signature of the witness is marked as Ex.P.31(a).

7. The injuries mentioned in Ex.P.30 and 31 certificated are possible if assaulted with hands and a stone now shown to me, which is marked as M.O.1. Today I have brought MLC register extract consisting of the entries regarding examination of P.W.2 and 3. Said MLC register is marked as Ex.P.32. The relevant portions at page No.100 are marked as Ex.P.32(a) and 30 (b). The signatures of the witness in the said portion are marked as Ex.P.32(c) and 32(d).

(Original MLC register is sent to copying branch and obtained its true copy and then original MLC register is returned to the witness since she requested that the same is required by them.)

Cross Examination by Sri.H.A.T. counsel for accused:

8. The injuries mentioned in Ex.P.30 and 31 certificates are possible if said Diwakar and Gopal while traveling in a vehicle met with an accident. If I would have noticed any bleeding injury, I certainly

would have mentioned the same in Ex.P. 30 and 31 certificates.

9. It is false to suggest the if a person is assaulted with M.O.1 stone, he is bound to suffer bleeding or punctured wound. Witness volunteers that it depends on force used and the portion of the stone which comes in contact with the injured.

10. The history of assault was given by injured themselves. It is false to suggest that the injured have not stated anything about the assailant, assault and the manner of assault to me.

Question: In Ex.P.32, you have mentioned the name of assailant of Diwakar as unknown person and later you have inserted the name of Prathap in brackets.

Answer: Initially Diwakar told the name of his assailant as unknown person and later he had disclosed his name as Pratap.

11. The signatures seen in the portions at 32(a) and 32(b) are that of one Mahesh who had accompanied the injured on that day.

12. It is true to say that in so far as Gopal is concerned, I have not mentioned the age and nature of injuries suffered by him in Ex.P.32.

13. It is false to suggest that I had made entries in Ex.P. 32 only at the instance of police. It is false to suggest that I have issued to false wound certificates as per Ex.P.30 and 31 and deposing falsely at the say of the police.

Re-examination: Nil.

(Typed to my dictation in Open Court)

R.O.I. & A.C.

Sd/-

(BHANUMATHI. B.C.)

1st Addl. District and Sessions Judge,
Chikkamagaluru.