

Government of Karnataka

(C.R.P.67)

**BEFORE THE 1st ADDL. DISTRICT AND SESSIONS COURT,
CHIKKAMAGALURU.****S.C.95/2024**

PW- 08

CW-13

Duly Sworn on: 22-12-2025

Witness Name : Dr. Sowmya
Husband Name : Dr.Sunil
Age : 43 years
Occupation : Senior Specialist,
Mallegowda Government
Hospital,
Chikkamagaluru
Place of Residence : Chikkamagaluru

(The accused is in judicial custody and today he is produced through video conferencing from District Prison, Chikkamagaluru and before recording the evidence of witness, it is got confirmed from the accused that the voice is clearly audible to him and there is no technical defect in recording the evidence of witness through Video Conferencing.)

Examination in Chief by Public Prosecutor:-

I am working as Senior Specialist, Mallegowda Government Hospital, Chikkamagaluru since June 2019.

2. On 10.05.2024 at 11.25 a.m., I received requisition from Inspector of Police, Town Police Station, Chikkamagaluru to conduct postmortem examination on dead body of Smt.Kanaka W/o Devaraj, female, aged about 57 years. Said dead body was identified by WPC.No.38 Dhanalaxmi i.e., CW22. Now I see the requisition submitted by the police and Form No.146. Said requisition and Form are together are marked as Ex.P18. Signatures of the witness are marked as Ex.P18(a) and Ex.P18(b).

3. On the same day I conducted postmortem examination of said body from 11.30 a.m. to 1.30 p.m. and thereafter I handed over the body to aforesaid WPC Dhanalakshmi. At the time of examination, the deadbody was kept in the mortuary of District Hospital, Chikkamagaluru.

4. On examination, it was dead body of female, aged about 57 years, measuring 163 cm in length, it was moderately built and nourished, both eyes and mouth

were closed, blood tinged, froth was oozing out from mouth, rigor-mortis was present in all four limbs, both lower limbs were swollen and edematous.

5. I noticed following external injuries on the dead body:-

1. Laceration from right zygomatic region, extending to right temporal occipital and towards left temporal region measuring about 25 cms in length, its breadth was 2 cms over right zygomatic region and about 5 cms over left temporal region. Multiple comminuted fracture of both frontal, parietal, sphenoidal temporal, occipital and ethmoidal bones crushing the brain tissue was noted in occipital region. Brain tissue found popping out of the injury.
2. Contusion over right maxillary region measuring about 10 cm x 10 cm.
3. Contusion over left forehead measuring about 8 cm x 5 cm.
4. Both eyes were found blackened.
5. Whole nose was contused and it measured about 3 cm x 4 cm.

6. Contusion over medial aspect of left maxillary region measuring 5 cm x 5 cm.
7. Contusion over right forearm i.e., over lower 1/3rd anterior aspect measuring about 8 cm x 10 cm.

6. On dissection of skull and vertebra, the injury No.1 to 3 described above were noted. On dissection of membrane, multiple lacerations were found, on dissection of brain, the whole brain was found crushed and it was unable to differentiate the parts of the brain, on dissection of thorax, fracture of left 2nd, 3rd, 4th and 5th ribs in the mid clavicular line was found. Hemothorax was noted on the left side of chest of about 400 ml of blood. Other parts of thorax were found intact. The parts of abdomen were found intact and pale. Partially digested rice particles were found in the stomach. Other organs were found intact. As per the request made by the investigating officer, I collected the blood sample in gauze piece and forwarded the same to the investigating officer to send the same to FSL for matching and blood grouping. I had also collected the blood stained clothes found on the deadbody for matching and blood grouping and forwarded the same to the

investigating officer in sealed manner by affixing the seal of our Hospital.

7. On the basis of postmortem examination, I am of the opinion that cause of death is due to Hemorrhage, shock and damage to vital organs like brain. Now I see said report and it bears my signature. Postmortem report is marked as Ex.P19 and the signature of the witness is marked as Ex.P19(a). It was counter signed by Dr. Mohan, the then District surgeon.

8. I can identify the clothes found on the deadbody as I had put my signature on the slip affixed on said clothes. Witness identifies a chudidhar top and a saree, which were already identified as MO.4 and MO.5 as the one noted by her on the deadbody. The signatures of the witness on the slips affixed on MO.4 and MO.5 are marked as MO.4(a) and MO.5(a).

9. Later on 10.09.2024, I received requisition from investigating officer along with one sized stone in sealed cover seeking my opinion regarding possibility of injuries noted by me on the deadbody if assaulted with said stone. Now I see said requisition and it is marked as Ex.P20. I opened said stone and examined it. Its circumference was

around 65 cms, its length was 23 cms and weight was around 17 kgs. Upon examining said stone, I issued my opinion on 11.09.2024 to the effect that the external injuries and corresponding internal injuries mentioned by me in postmortem report as per Ex.P19 are possible if assaulted with said stone.

10. After examining said stone, I repacked it, sealed and labeled it by affixing my signature on the label and forwarded the same to the investigating officer with sample seal.

11. Now I see the opinion report issued by me in the said regard and it bears my signature. Said opinion report is marked as Ex.P21 and the signature of the witness is marked as Ex.P21(a). I can identify the stone examined by me since I had affixed my signature of the label affixed on the cloth bag containing said stone if shown to me. Witness identifies a sized stone which is already marked as MO.6 as the one examined by her.

Cross Examination by Sri.ND, Deputy Chief Legal Aid defense counsel:

12. I am a pathologist. It is true to say that I have not mentioned the time since death in Ex.P19, report. I had

not collected the brain or its pieces to send the same to Histo-pathological examination. It is true to say that I have not mentioned the exact number of lacerations noted in the dissection of membrane. It is true to say that I have not mentioned the nature of injuries in Ex.P19 report. Witness volunteers that on the basis of the examination, she is of the opinion that all the injuries noted by her in Ex.P19 report were ante-mortem in nature. I am conducting autopsy at District Hospital, Chikkamagaluru since 2019. It is true to suggest that there is possibility of ribs getting fractured if a person falls on hard objects. It is false to suggest that the injury No.1 mentioned in Ex.P19 report is possible to occur if a person in drunken condition accidentally slips or falls on a sharp edged object. It is false to suggest that I am deposing falsely to that effect. It is true to suggest that when a person is over intoxicated, there is possibility of he losing balance and in such situation, he may slip or fall.

13. Along with Ex.P20 requisition, I had not received any document from the police. I had not taken the photograph of MO.6 at the time of its examination.

Q: The seal said to have been affixed by you on MO.6 is not found on it.

A: Yes. Witness volunteers that she had put the seal at the time of sending it back to the investigating officer, but now it is not seen.

14. When MO.6 was sent to me, it was sealed with RFSL seal, but I had not taken photograph of the same. Except the requisition and form as per Ex.P18, no documents were submitted to me by the investigating officer for conducting autopsy. It is false to suggest that I had issued report as per Ex.P19 only on the basis of the information furnished by the police in Ex.P18. It is false to suggest that without conducting any kind of examination, I had issued a false report as per Ex.P21 at the instance of the police. I had not received any document pertaining to CrI.Misc.307/2023 on the file of PrI. Senior Civil Judge and CJM, Chikkamagaluru from the police either at the time of conducting autopsy or at the time of issuing opinion report as per Ex.P21. It is false to suggest that without conducting any kind of examination, I had issued false reports as per Ex.P19 and Ex.P21 and deposing falsely at the say of 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.

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