

Government of Karnataka

(C.R.P.67)

**BEFORE THE 2nd ADDL. DISTRICT AND SESSIONS COURT,
CHIKKAMAGALURU.**

S.C.145/2019

PW- 13

CW- 18

Duly Sworn on: 17.09.2022

Witness Name : Dr. Ramesh
 Father's Name : Annappa
 Age : 51 years
 Occupation : Senior Specialist,
 Mallegowda District
 Hospital,
 Chikkamagaluru
 Place of Residence : Chikkamagaluru

Examination in Chief by Public Prosecutor:-

I am working as Senior Specialist, Mallegowda District Hospital, Chikkamagaluru since 2013.

1. *On 04.08.2019 at 3.15 p.m., I received requisition sent by investigating officer through CW23 WHC 09 Suma along with dead body of a female child by name Ameesha, D/o Suheb, resident of Joladalapalya, Basavegowda Coolie Line, Vasthare Hobli, Chikkamagaluru for postmortem*

examination. Said body was identified by WHC.No.09 Suma of Mallanduru Police Station. On the same day, I conducted postmortem examination of said body from .45 p.m. to 5.15 p.m. and there after I handed over the dead body to said WHC No.09 at 5.25 p.m.

2. On examination, I noticed that dead body was of female, it was built appropriate to her age, it was wearing yellow with black colour stripes T-shirt and red with white stripes sweat pant, rigor mortis was present all over the body, face was congested, tongue was protruded and bitten by teeth and cyanosed. Cyanosis of palpebral conjunctiva ears, both eyelids, lips observed. Petechial hemorrhages seen over the palpebral conjunctiva. Postmortem staining seen at back, buttocks, calfs and fixed.

3. On dissection, I noticed that brain membranes were congested and Petechial hemorrhages seen in all over duramater, brain was congested and plenty of Petechial hemorrhages were seen in white matter of brain. Wall on thorax was intact, pleurae was congested and Petechial hemorrhages was present. Larynx and trachea was

congested and filled with mucous and froth. Right lung and left lung were congested. Pericardium was congested and Petechial hemorrhages was present. Heart was intact and filled with fluid of blood. Walls of abdomen was intact, peritoneum was intact and Petechial hemorrhages was present, stomach was filled with semi digested rice particles, small intestine was filled with semi digested rice particles, large intestine was intact and filled with foecal matter, liver and spleen was congested, kidneys were congested. On dissection of neck, I noted that neck structure and hyoid bone were intact. I have collected viscera articles and liver sample, sample of brain, sample of heart, sample of lungs, sample of spleen and sample of kidney for histopathology. Time since death prior to postmortem examination was about 12 to 24 hours. By keep pending opinion regarding cause of death for want of reports from Forensic Science Lab and histopathology, I issued provisional postmortem examination report on the same day i.e., on 04.08.2019. Now I see said report and it bears my signature. Postmortem report is marked as

Ex.P35 and the signature of the witness is marked as **Ex.P35 (a)**.

4. On the same day, I forwarded the aforesaid samples to pathologist, Hassan Institute of Medical Science, Hassan with sample seal through concerned Police. Now I see true copies of said correspondence made by me and the sample seal and it bears my signature. True copies of said letter and sample seal are marked as **Ex.P36** and **Ex.P37** respectively.

5. On 27.02.2020, RFSL report dated 04.12.2019, histopathology report and postmortem report issued by me were produced before me by investigating officer along with requisition seeking my final opinion. I have gone through the findings given in said reports. On the basis of my postmortem examination, findings given in FSL report and histopathology report, I issued my final opinion on the same day with the opinion that, no chemicals were detected as per the RFSL report, microscopy of lungs tissue suggestive of pulmonary oedema was detected as per histopathology report and as such in my opinion death is due to asphyxia. Now I see said final opinion and it bears my signature.

Said final opinion is marked as Ex.P38 and signature of the witness is marked as Ex.P38(a).

6. Witness identifies the dead body of female baby Ameesha in the photograph which is already marked as Ex.P2.

7. The cause of death mentioned in my report and opinion is possible if a child, aged about 2 years was smothered by closing its mouth and nose tightly when it was sleeping. If a baby is smothered in the aforesaid manner, the external appearance stated by me in Ex.P35 report are possible.

8. If a baby is smothered when it was sleeping, there is possibility of it sustaining the internal injuries mentioned in my report as per Ex.P35.

Cross Examination by Sri.B.M.L.G, Advocate for accused:

9) ಒಬ್ಬ ತಾಯಿ ಮತ್ತು ಮಗು ಅಕ್ಕಪಕ್ಕ ಮಲಗಿದ್ದ ಸಮಯದಲ್ಲಿ ದಿಂಬು ಆಕಸ್ಮಿಕವಾಗಿ ಮಗುವಿನ ಮುಖದ ಬಳಿ ಬಂದಾಗ ತಾಯಿ ಸದರಿ ದಿಂಬಿನ ಮೇಲೆ ತಲೆ ಇಟ್ಟು ಮಲಗಿದಾಗ ನನ್ನ ವರದಿಯಲ್ಲಿ ತಿಳಿಸಿರುವಂತೆ ಉಸಿರುಗಟ್ಟಿ ಸಾಯುವ ಸಾಧ್ಯತೆ ಇದೆ. ಚಿಕ್ಕ ವಯಸ್ಸಿನ ಮಕ್ಕಳ ಮೂಗು ಮತ್ತು ಬಾಯಿಯನ್ನು ಕೈಯಿಂದ ಒತ್ತಿ ಹಿಡಿದರೆ ಆ ರೀತಿ ಒತ್ತು ಹಿಡಿದ ಗುರುತುಗಳು ಕಂಡು ಬರುವ ಸಾಧ್ಯತೆ ಇರುತ್ತದೆ

ಎಂದರೆ ಸರಿ. ಮಗುವಿನ ಬಾಯಿಗೆ ಉಸಿರಾಡದಂತೆ ಬಟ್ಟೆಯನ್ನು ತುರುಕಿದಾಗ ನಾನು ನಿಪಿ.35 ರಲ್ಲಿ ತಿಳಿಸಿರುವ ಕುರುಹುಗಳು ಕಂಡು ಬರುತ್ತವೆ ಎಂದರೆ ಸರಿಯಲ್ಲ. ಸಾಮಾನ್ಯವಾಗಿ ಬದುಕಿರುವ ವ್ಯಕ್ತಿಯ ಮೂಗು ಮತ್ತು ಬಾಯಿಯನ್ನು ಮುಚ್ಚಿದಾಗ ಅವರು *Struggle* ಮಾಡುತ್ತಾರೆ ಎಂದರೆ ಸರಿ. ಸಾಮಾನ್ಯವಾಗಿ ಆ ರೀತಿ *Rough surface* ಮೇಲೆ *struggle* ಮಾಡಿದಾಗ ಮೈ ಮೇಲೆ ಗಾಯಗಳಾಗುವ ಸಾಧ್ಯತೆ ಇರುತ್ತದೆ ಎಂದರೆ ಸರಿ. ನಿಪಿ.35 ರಲ್ಲಿ ಆಕ್ಸಿಜನ್ ಕೊರತೆಯಿಂದಾಗಿ *hemorrhage* ಆಗಿದೆ ಎಂದು ನಿರ್ದಿಷ್ಟವಾಗಿ ನಮೂದಿಸಿಲ್ಲ ಎಂದರೆ ಸರಿ.

Re-examination: Nil.

(Typed to my dictation in Open Court)

R.O.I. & A.C.

Sd/-

(BHANUMATHI. B.C.)

*2nd Addl. District and Sessions Judge,
Chikkamagaluru.*