

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

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

S.C.129/2013

PW-11

CW-16

Duly Sworn on: 04.07.2022

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Witness Name : Dr.M.Prasannakumar
Father's Name : Late Mallaiah
Age : 69 years
Occupation : Retired Orthopaedic
surgeon
Place of Residence : Chikkamagaluru

Examination in Chief by Public Prosecutor:-

I worked as orthopaedic Surgeon at M.G.M Taluk Hospital, Mudigere from October 1998 till June 2013.

1. On 23.02.2013 at 12.00 p.m., one Poornesh S/o Padmegowda, aged about 33 years, resident of Halekere village came to our hospital on his own on the history of assault by Prasanna, Lilly D Souza, Jay Prakash D Souza and Jafri D Souza on 23.02.2013 at 11.00 a.m with a stick.

2. On examination of said Poornesh, I noted that he suffered an abrasion over his left wrist measuring $1\frac{1}{2}$ c.m and it was simple in nature. In the said regard I issued wound certificate and it bears my signature. Said wound certificate is marked as **Ex.P4** and signature of the witness is marked as **Ex.P4(a)**.

3. On the same day i.e., on 23.02.2013 at 12.05 p.m, I examined one Raghu S/o Padmegowda, aged about 45 years, resident of Halekere village who came to our hospital on his own on the history of assault by Prasanna, Lilly D Souza, Jay Prakash D Souza and Jafri D Souza on 23.02.2013 at 11.00 a.m with a sword(ಕೆತ್ತಿ).

4. On examination of said Raghu, I noted the following injuries:

1. One incised wound on left middle finger measuring 1/1 c.m.
2. One incised wound on left thumb measuring $\frac{1}{2}/1/2$ c.m.
3. Abrasion over right shoulder measuring 2/1 c.m.

5. In my opinion all the above injuries are simple in nature. In the said regard, I issued wound certificate and it bears my signature. Said wound certificate is

marked as **Ex.P5** and signature of the witness is marked as **Ex.P5(a)**.

6. Later Gonibeedu Police submitted requisition on 16.05.2013 with one sealed sword and sought for opinion regarding the possibility of the injuries sustained by injured Raghu if assaulted with said sword.

7. I examined said sword and issued opinion to the effect that the injuries No.1 and 2 sustained by injured Raghu are possible if assaulted with said sword. Now I see said opinion issued by me and it bears my signature. Said opinion is marked as **Ex.P6** and the signature of the witness is marked as **Ex.P.6(a)**.

8. After examination, I repacked the sword in cloth bag and affixed my signature on the slip affixed on the said bag and sent it back to the concerned police. I can identify the sword examined by me. Now I see said sword and it is already marked as Mo.1.

9. The injuries sustained by Poornesh and injury No.3 sustained by Raghu as mentioned in Ex.P4 and 5 certificates are possible if assaulted with a stick now shown to me, which is already marked as Mo.3.

(Cross Examination: Sri.N.R.T., counsel for Accused seeks time to cross examine this witness on the ground that the accused have preferred Special Leave Appeal No.4290/2022 before Hon'ble Supreme Court challenging the order passed by this court on 13.08.2021, which is confirmed by Hon'ble High Court in Crl.P.No.9421/2021. It is to be noted that in the said Special Leave Appeal, the Hon'ble Supreme court has not stayed the proceedings of this case and moreover this matter of the year 2013 and witness is an official witness. Hence no sufficient reason is assigned to defer the cross examination to this witness is made out by the accused. Hence cross examination of this witness is taken as nil.)

(Typed to my dictation in Open Court)

R.O.I. & A.C.

Sd/-

(BHANUMATHI. B.C.)

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

Hema.