

IN THE COURT OF II ADDL. DISTRICT AND SESSIONS
(SPECIAL) JUDGE MANGALURU, D.K.

Sessions Case: 93/2014

C/w

Sessions Case: 99/2014

PW: 20 (CW:30)

Witness present and Duly Sworn on: 06.11.2025

Further chief examination by Public Prosecutor

6. I can identify photographs in CD. CD is marked as Ex.P44 (learned counsel for accused objects marking of CD as 65 B certificate is not produced and there is no reference in the mahazar about taking photographs while conducting mahazar. Since CD only contains photographs, no such requirement to issue 65 B certificate is necessary, hence objection is overruled). CD is played. Witness identifies photographs in CD.

Cross-examination by Sri. RKG Advocate for accused Nos.1, 3 and 4:-

7. I am member in Baikampady Moghaveera Mahasabha. The distance between my house and house of Ganghadar Pangal is around 500 meters. I know family members of Gangadhara Pangal. I know PW.2 Yadav Puthran. I know PW6 PW.10 and PW.7.

8. The police did not issue notice in writing. On the spot

there were several known persons present. PW.2, 6, 10 and PW.7 were not present. MLA Mohiuddin Bava and our villagers were also present. So many police were present, I did not count. Barricades were placed on the road. The police commenced investigation/procedure after I went to spot. I did not observe video graph was made till the end at 3-3.30 p.m. I was very much present. I do not know who made video graph and took photographs. Finger print experts were also present. Inside the protected area/barricaded area, no one was allowed. I did not see dog and team. Finger print experts did their procedure in our presence. In my presence finger prints were not collected. Scooter was lying in a slant position adjacent to tree. Each article was collected, packed, sealed and assigned marking. Slip on the respective article was prepared took signature and pasted on the respective articles. All the articles which were lying within the barricaded area were seized. First shawl was seized. I saw scooter on the spot. When the scooter was inspected, it was in the afternoon. I do not know video graphs also contains audio. Damaged radiator guard was seized. Now I do not remember in which portion, it was damaged. I cannot say measurement of the radiator guard. Near by shawl a vehicle damaged pieces were lying. Witness identifies the same as MO.2.

9. It is true radiator guard is seen in 4th photograph of Ex.P4. It is true at the one end of radiator guard it is cut and damaged. It is true in the radiator guard 6 grills/separators are seen among them one grill is completely cut. 5th grill is cut

only one side. 6th grill cut pieces were lying near shawl, they were seized separately. In 4th photograph of EX.P4 one big and one small radiator guard piece are only seeing. It is false to suggest that Mo.10 is not the radiator guard piece seen in 4th photograph of Ex.P4. It is true MO.10 before the court is only 4 big grills and 4 small grills among them one small grill is cut. In MO.10 one big piece of the grill is not seen as seen in the 4th photograph of Ex.P4. One photograph is shown to witness and asked the cloth seen in the photograph is not before the court, witness admits the same. The photograph shown to the witness is among the photographs in Ex.P44 CD. Since photograph is part of Ex.P44, Photograph is marked as Ex.P44(a). (by naked eyes the cloth seen in the photograph is the cloth being used by the police for packing of seized articles). Another photograph is shown to witness. After going through photograph, witness states the articles (Tape and knife like cutter) were not seen by him on the spot. Since photograph is part of Ex.P44, Photograph is marked as Ex.P44(b). Since I had not seen articles seen in Ex.P44(b), I do not know they were placed for measurement.

10. I do not know Gangadhar Pangal following which party. One photograph is shown to witness. Witness states the person discussing with inspector is MLA Mohiuddin Bava and he belongs to Congress Party. Since photograph is part of Ex.P44, Photograph is marked as Ex.P44(c). I do not know Gangadhar Pangal also follower of congress party. It is false to suggest that MLA Mohiuddin Bava gave direction to the police

while conducting mahazar. It is false to suggest that in the entire video and photographs no such process as stated by me in chief examination is forthcoming. It is false to suggest that on the request of PW.2, 6, 7 and PW.10 in the police station I have sign. It is false to suggest that no mahazar was conducted and nothing was seized in my presence on that day. It is false to suggest that I have affixed all the signatures in the police station on 19.05.2014. It is false to suggest that I do not know anything about this case. It is false to suggest that I have not seen any Mos as stated in chief examination.

Cross-examination by Sri SPAM for Advocate for Accused No.2:-

Adopts the aforesaid cross-examination.

Re-examination: Nil.

(Computerized to my dictation in the open court)

ROI & AC

II Addl District and Sessions Judge,
Mangaluru, D.K.