

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: 43 (CW: 56)

Witness present and Duly Sworn on: 04.03.2026

Deposition of	:	A.C. Lokesh
Father/Husband Name	:	Chenne Gowda
Age	:	53 years
Occupation	:	DySP, Cyber Crime P.S. Udupi
Resident Of	:	Udupi.

Examination in Chief by Public Prosecutor :-

1. From 03.07.2014 to 16.06.2017, I had worked as Police Inspector, Panamburu P.S.

2. On 04.07.2014, I took further investigation of the case from PW.42 and verified investigation done upto date.

3. On 09.07.2014, I received test report from RFSL, Mangaluru.

4. On 17.07.2014, I recorded statement of PW.37. PW.37 stated before me as per Ex.P72. In the statement, the vehicle

number has been wrongly mentioned as KA-19-MD-9164 instead of KA-19-MD-9146.

5. On 24.07.2014, I released vehicle bearing Reg.No. KA-19-N-7988 to Geetha-PW.21. I now see receipt, it bears my signature, the same are marked as Ex.P85 and 85(a). On the same day I released vehicle bearing Reg.No. KA-19-MD-9146 to Rekha Jaikar-PW.37. I now see receipt, it bears my signature, the same are marked as Ex.P86 and 86(a).

6. On 27.07.2014, I received IMV report of vehicle bearing Reg.No. KA-19-MD-9146. On the same day I received serology report from RFSL. On the same day, I received opinion from Medical Officer, A.J. Hospital over injuries on the body of the deceased.

7. On 07.08.2014, I received opinion regarding time since death from Medical Officer, A.J. Hospital. On the same day, I received report from MESCOM regarding supply of power to the place of incident. I now see the Report, it bears my signature. The same are marked as Ex.P87 and 87(a).

8. On 22.08.2014, I received Toxicology report from RFSL. On the same day, I received 164 statement of CW.35 from Court.

9. On 13.10.2014, I received report pertaining to hairs from RFSL.

10. On 04.11.2014, the accused no.1 Sathish Baikampady appeared before me along with order passed by the Hon'ble High Court of Karnataka. I complied order, arrested, interrogated and recorded his voluntary statement. In the voluntary statement, he volunteered he would produce two vehicles Scarpio vehicle bearing Reg.No. KA-19-Z-5181 and two wheeler Mestro vehicle bearing Reg.No. KA-19-EK-0229 which were used for commission of offence and kept in his house at Derebailu. Since 24 hour was over, I left him with a direction to appear before me on the next day.

11. On 06.11.2014, I came to know the Accused No.1 was arrested in Crime No.133/2013 of Surathkal police station and he was remanded to JC. On the same day I made a request to Jurisdictional Court seeking for police custody of Accused No.1.

12. On 21.11.2014, the Court granted police custody of Accused No.1 and on the same day I took police custody of Accused No.1. The Court has given police custody upto 22.11.2014.

13. On 22.11.2014, I secured PW.31 and CW.58 as panchaas to the police station by issuing notices, explained

them case details and enquired accused no.1 in their presence. We left police station at 9.00 a.m. along with accused no.1 in our department vehicle. The accused no.1 took us to Derebail, Konchady, he further took us to near his house, we reached at 9.30 a.m. In front of house, he showed two vehicles Scarpio vehicle bearing Reg.No. KA-19-Z-5181 and two wheeler Mastro vehicle bearing Reg.No. KA-19-EK-0229. I inspected inside Scarpio vehicle. Beneath center seat I found number plate bearing number KA-19-Z-5181, in the dash board I found R.C. of KA-19-Z-5181 and driving license of Accused No.1. I prepared mahazar between 9.45 and 11.45 a.m, and seized Scarpio vehicle bearing Reg.No. KA-19-Z-5181 and two wheeler Mastro vehicle bearing Reg.No. KA-19-EK-0229, R.C., driving license and number plate. I now see Mahazar Ex.P64, it bears my signature. Signature of witness is marked as Ex.P64(c). I can identify both the vehicles (it is told both the vehicles, R.C, Driving license and number plate were released). Witness identifies vehicles, number plate, R.C and D.L in Ex.P65 and 66 photographs. I now see portion of Voluntary statement of Accused No.1, it bears my signature and signature of Accused No.1. The same are marked as Ex.P88, 88(a) and (b).

14. We returned to police station. In included above in PF list. After medical examination, I sent the accused no.1 to the Jurisdictional Court along with remand application.

15. On 20.12.2014, I received test report from FSL, Bangalore.

16. On 23.12.2014, I released vehicle bearing Nos. KA-19-MB-0998 to Bhaskar Baikampady, KA-19-EK-0229 to Dhanush, KA-19-Z-5181, R.C., D.L., and number plate no.KA-19-Z-5181 to Geetha W/o. Sathish Baikampady.

17. Since investigation was completed and found sufficient material, I submitted charge sheet.

18. I can identify Sathish Baikampady. Today three accused present before the Court. Witness states among three accused Accused No.1 is not present today. On enquiry with Accused who present today, they reveal their names as Sathish Baikampady, Pushaparaj and Bhaskar Baikampady.

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

19. I have verified all the documents pertaining to the case. As per the investigation, the motive for committing murder of Gangadhar Pangal is misappropriation of funds and removal/debarring Sathish Baikampady in Baikampady Mogaveera Mahasabha. I have not verified documents of Baikampady Mogaveera Mahasabha. I have not collected

documents from Baikampady Mogaveera Mahasabha for suspending/debarring Sathish Baikampady. I have not called President, Secretary and Treasure of Baikampady Mogaveera Mahasabha to submit account details, audit report and other documents. In the charge sheet, there are no documents enclosed to show how much amount misappropriated in Baikampady Mogaveera Mahasabha. It is false to suggest that no documents are enclosed along with charge sheet with respect to motive as there were no such documents to support the motive and allegation. I have enclosed document which was received from the Mahasabha with respect to suspension of Sathish Baikmapdy and Bhaskar Baikampady. I do not know in the said document they were suspended for One year. It is true the said document Ex.P33 is not original document, some of them are notarized, some of them are copy and some of them are original. I have not inspected original Ex.P33. In original documents at Ex.P33, signature of Sathish Baikampady and Bhaskar Baikampady are not forthcoming. It is false to suggest that Ex.P33 is created for the purpose of case.

20. In CDR conversation, duration of conversation, date and time between two persons can be ascertained. I have obtained CAF and CDR of mobile numbers as mentioned in the report of Bharathi Ex.P75. Since, I did not get necessary information from CDR, I have not enclosed CDR along with

charge sheet. It is false to suggest that since we did not get necessary information, we cannot hide the said document without enclosing to the charge sheet. Even if SIM card is lost, we can obtain CDR from the service provider and to know if the said SIM card is in use and user of the SIM card.

21. It is false to suggest that all the FSL and RFSL reports stated in the chief examination are created. It is false to suggest that I have not obtained IMV report in respect of Vehicle bearing Reg. No. KA-19-MD-9146. It is false to suggest that I have not obtained opinions from A.J. Hospital. It is false to suggest that they were created reports.

22. I have not secured Rekha Jaikar to rectify the vehicle number in her statement by recording her further statement.

23. I have not obtained documents pertaining to KA-19-EH-7393 and KA-19-EH-8393 from RTO. I have not obtained documents pertaining to KA-19-MB-9164 and KA-19-MD-9164 from RTO.

24. I have not made further attempt to know to whom hair belongs to.

25. It is false to suggest that I have not recorded

voluntary statement of the Accused No.1. We gave information to Surathkal Police about accused no.1 appeared before me on the strength of bail order. I have not obtained case records of Crime No.133/2013 of Surathkal P.S. Witness states he had knowledge of said case details. The said case pertains to injuries sustained by Gangadhara Hosabettu in an accident, subsequently it was converted as it was an attempt to murder of Gangadhara Hosabettu by Sathish Baikampady and Pushparaj. Witness further states in the voluntary statement given by Sathish Baikampady, he volunteered about said case also. I have not obtained report from the IO of the said case with respect to complete details of the said case. It is false to suggest that since, the accused no.1 was absconding in this case, we and Surathkal Police colluded and implicated accused in the said accident case. I do not know the said case was ended with an acquittal after due trial in SC.No.31/2015 by Ist Addl. District & Sessions Court.

26. It is false to suggest that though Scarpio car and Mastro two wheeler were not at all involved, I falsely implicated those vehicles and seized in this case. It is false to suggest that I secured those vehicles to the police station and created mahazar in the police station.

27. It is false to suggest that I have created false documents and cited false witnesses. It is false to suggest that

though no materials were found against the accused, I submitted false charge sheet. It is false to suggest that Accused persons have no nexus to the death of Gangadhar Pangal. It is false to suggest that vehicles Maruti 800, Maruti Ritz and Bolero did not involve in the case.

28. I have not obtained documents pertaining to the function held at Mulooru, Ermalu on 13.05.2014 and 14.05.2014. It is false to suggest that no function/festival held at Mulooru, Ermal on 13.05.2014 and 14.05.2014. I have not obtained documents to show PW.2-Yadhava Puthran was having which type of vehicle at the time of incident.

29. It is false to suggest that I have submitted false charge sheet at the instance of PW.2, PW.6 and PW.10. It is false to suggest that we suppressed real truth with respect to the incident and filed false charge sheet. It is false to suggest that report obtained from MESCOM is created for the purpose of this case. It is false to suggest that I have not received 164 statement of CW.35.

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.