

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: 6 (CW: 8)

Witness present and Duly Sworn on: 24.09.2025

Deposition of	:	Vasudeva Salian
Father/Husband Name	:	Chandu Pangala
Age	:	65 years
Occupation	:	Retired Manager in MCF.
Resident Of	:	Meenakaliya, Baikampady, Mangaluru.

Examination in Chief by Public Prosecutor:-

1. I knew deceased Gangadhar Pangala. I know PW.1 to PW.5, CW.9 to CW.27. CW.27-Bhaskar Kanchan is no more. I know Accused Nos.1 to 4 who present before the court. Accused Nos.1, 3 and 4 are from our village.

2. On 15.05.2014, between 4-4.30 a.m., CW.30-Nithin Mendon called me over phone and told Gangadhar Pangal met with an accident on Meenakaliya-Baikampady road. During 2014, I was President of Baikampady Mogaveera Mahasabha. I called my committee members and informed the same to them and requested them to assemble at Gopalakrishna Bhajana

Mandira. I went there at 6-6.30 a.m. Venkatesh Bangera, Devadas Puthran, Bhaskar Kanchan, Vasanth Salian, Vasanth Amin, Dhanpal C.K, Harishchandra Karkera came to Gopalakrishna Bhajana Mandira. From there we all went to spot which is nearby Gopalakrishna Bhajana Mandira. Spot is opposite to Ganesh Shipping Godown. Police were present. Barricades were erected to secure spot. We also noticed blood traces, Shawl of Gangadhar Pangal, Scooter was dragged for a distance on the Tar road upto 100 feet, on the right side below Mandara flower tree scooter bearing Reg.No.KA-19-EH-8393 of Gangadhar Pangal was lying, broken indicator pieces of scooter and one 4 wheeler radiator guard. From there I went to A.J. Hospital to see Gangadhar Pangal. I saw dead body of Gangadhar Pangal in A.J. Hospital. After seeing all the above, I thought Gangadhar Pangal did not die on account of real accident, he was murdered in the nature of accident. From the hospital I went to Panamburu Police station. Since I was the President of Baikampady Mogaveera Mahasabha, I lodged complaint to the police to investigate the case as death of Gangadhar Pangal was not in an accident and it was a murder. Based on the complaint, the police have converted the case for the offence punishable U/Sec.302.

3. Then I went to spot at 10.30 a.m. Police officials, Police personnel and others were present. To make arrangement of funeral ab-sequences of Gangadhar Pangal, I

went to house of Gangadhar Pangal. Since Gangadhar Pangal was popular person, we gave information to neighboring villages also. We performed last rights of Gangadhar Pangal at 5.00 p.m. More than 1000 people attended funeral function. Except Accused Nos.1, 3 and 4, all the villagers attended funeral function.

4. On 16.05.2014, I again went to police station. My statement was recorded by Inspector and returned to house. On 13.05.2014, Gangadhar Pangal had attended Kola function in Mooluru village. On 13.05.2014, band-set people dropped Gangadhar Pangal to his house. On 14.05.2014, at 8.00 a.m., Gangadhar Pangal met me Chithrapura Bobbariya Temple and told about his visit to Mooluru village on 13.05.2014. Gangadhar Pangal also told he would visit Mooluru to attend Thambila function on 14.05.2014 evening.

5. On 20.05.2014, I, Venkatesh Bangera and Bhaskar Kanchan again went to police station to enquire about complaint given by me and case detail. Since Inspector was not in the police station, we were waiting in the police station. At 1.15 p.m, the police Inspector brought Bhaskar Baikampady, Pushparaj and Harish Baikampady along with Ritz car bearing Reg.No.KA-19-MD-9146. Inspector told us they were brought along with car from Kudhuremukha Junction. The Inspector requested us to assist as Panchaas to enquire aforesaid Three

persons. Inspector first enquired Pushparaj. Pushparaj told Sathish Baikampady gave Bolero vehicle to him to finish Gangadhar Pangal as there was animosity between Sathish Baikampady and Gangadhar Pangal with respect to Mogaveera Mahasabha. Pushparaj also told Sathish Baikampady and Harish Baikampady went to Mooluru on 14.05.2014 to verify Gangadhara Pangal had been to Mooluru to attend Thambila function. Pushparaj also told he and Bhaskar Baikampady were waiting in Bolero vehicle and Maruti 800 respectively in front of APMC Yard, waiting for the information to be given by Sathish Baikampady and Harish Baikampady. Pushparaj also told after Gangadhara Pangal, his son-in-law and his daughter left Mooluru, Sathish Baikampady and Harish Baikampady gave information to him and Bhaskar Baikampady. PW.2 son-in-law of Gangadhara Pangal dropped him at Vishwasagara Hotel and after Gangadhara Pangal took his scooter and left the said place, son-in-law of Gangadhara Pangal went in his car. Pushparaj also told he and Bhaskar Baikampady followed the scooter of Gangadhara Pangal in Bolero and Maruti-800. Pushparaj also told in front of Ganesh Shipping Godown he hit from Bolero to the scooter of Gangadhar Pangal from hind side, the scooter dragged for certain distance, thereafter he sped away from the spot with Bolero vehicle.

6. Bhaskar Baikampady told he and Sathish Baikampady developed grudge against Gangadhar Pangal as

he and Sathish Baikampady were suspended from Baikampady Mogaveera Mahasabha on the allegation of misappropriation of funds of School building. He told he, Sathish Baikampady and Harish Baikampady hatched a plan to kill Gangadhar Pangal and executed the same through Pushparaj.

7. Harish Baikampady also repeated same as stated by Bhaskar Baikampady. He also told he and Sathish Baikampady had been to Mooluru and after Gangadhar Pangal left Mooluru, they gave information to Pushparaj and Bhaskar Baikampady.

8. The Inspector prepared Mahazar between 3.05 and 3.45 p.m. and seized Ritz car bearing Reg.No.KA-19-MD-9146. I now see Mahazar, it bears my signature. The same are marked as Ex.P26 and 26(a). I can identify Car. Witness identifies car in Ex.P25-Photograph. While conducting Mahazar, photograph was taken. I now see one Photograph, the same is marked as Ex.P27. I am seen in Ex.P27-Photograph.

9. I can identify Harish Baikampady, Bhaskar Baikampady and Pushparaj. Today 4 Accused persons present before the court. Witness identifies from left 1st person Bhaskar Baikampady, 3rd person Harish Baikampady and 4th

person Pushparaj. On enquiry with them, they reveal their names as Bhaskar Baikampady, Harish Baikampady, and Pushparaj.

10. Pushparaj told in the voluntary statement, he would show the place wherein Bolero car was kept and produce the same if he was taken to. We all 3 persons, the police and Pushparaj left the police station. We proceeded in police Jeep as per the instructions given by Pushparaj. He took us Shakthi Garage, near Arasu Mundanthaya Daivasthan, Attavara. He alighted from Jeep, led us to the said garage and showed white colour Bolero vehicle. In garage Nithesh, mechanic was present. On enquiry with Nithesh, he told he was taken from Konchady to said garage by Sathish Baikampady. On inspection of Bolero vehicle, a small piece of Radiator guard was hanging front of the vehicle. The police collected said piece of Radiator guard from the vehicle and seized. The said Radiator guard was colour in black on the upper portion and colour in white on the internal portion. The said piece of Radiator guard was packed and sealed and assigned 'R' seal. I can identify Radiator guard piece. A sealed cloth packet is produced which contains FSL and IO seal, the same may be permitted to be opened. Witness identifies his signature on the slip pasted on cloth packet. On opening of sealed packet, it contains a piece of Radiator guard. Witness identifies the same. The same is marked as MO.16.

11. In the front side Bolero vehicle number was KA-19-N-7988. On the backside, 1 and 7 were not visible and 88 were half visible. The police also seized Bolero Jeep from the garage. A mahazar was prepared between 4.20 and 5.00 p.m. Our signatures were taken in the garage. I now see Mahazar, it bears my signature. The same are marked as Ex.P28 and 28(a). While conducting mahazar photographs were taken. I now see 2 photographs. 2 photographs are together marked as Ex.P29. (At this stage learned counsel for Accused raises objection for marking photographs on the ground that CD containing photographs is not given to them, 65B certificate is not produced and in the Mahazar there is no mention about taking photographs of vehicle. Along with Charge sheet, CD's are produced. Once CD containing photographs are produced, 65B certificate even if it is not produced can be produced at any stage of the trial and it is not necessary that in the Mahazar there should be an indication of taking photograph of the seizure or spot, hence objection is over ruled). I can identify Bolero vehicle. Witness identifies Bolero vehicle in Ex.P24 which was taken while releasing Bolero vehicle.

12. We returned to police station at 5.20 p.m. Bhaskar Baikampady told he would show and produce Maruti 800 car if he was taken to. He took us to his office situate near beverage. He showed white colour Maruti 800 car bearing Reg.No.KA-19-MD-998. On the backside glass of the car, it

was written 'Shettys'. The police prepared Mahazar between 5.30 and 6.00 p.m. and seized car. Our signatures were taken on the Mahazar. I now see Mahazar, it bears my signature. The same are marked as Ex.P30 and 30(a). While conducting mahazar photograph was also taken. One photograph is marked as Ex.P31. (At this stage learned counsel for Accused raises objection for marking photographs on the ground that CD containing photographs is not given to them, 65B certificate is not produced and in the Mahazar there is no mention about taking photographs of vehicle. Along with Charge sheet, CD's are produced. Once CD containing photographs are produced, 65B certificate even if it is not produced can be produced at any stage of the trial and it is not necessary that in the Mahazar there should be an indication of taking photograph of the seizure or spot, hence objection is over ruled). I can identify Maruti 800 car. Order sheet of trial court indicates car was released on 22.07.2014 in favor of Neetha W/o. Bhaskar Baikampady.

13. Further Bhaskar Baikampady told he would show the place wherein he and Pushparaj were waiting on 14.05.2014 for the information to be given by Sathish Baikampady and Harish Baikampady. He took us in front of APMC main gate and showed a vacant place in a distance 15 feet from main gate of APMC and told he had waited in Maruti 800 car at that spot, he further showed a place near small

bridge and told Pushparaj had waited along with Bolero at that spot. Both the spots are on the left side of National Highway. Opposite to spot, Kukkady School is situated, in a distance of 30 feet from the School, Vishwasagar Hotel is situated. The police prepared Mahazar between 6.20 and 7.00 p.m. Our signatures were taken on the Mahazar. I now see Mahazar, it bears my signature. The same are marked as Ex.P32 and 32(a).

14. We returned to police station and from the police station we went to our houses.

15. On 06.06.2014, the police called me to the police station. I went to the police station. The police have given notice containing 11 questions to me and asked me to submit my reply along with supporting documents. I submitted reply along with documents on 12.06.2014. I now see Reply along with documents (Resolution dated 12.07.2012, Resolution dated 20.02.2013, Resolution dated 24.10.2013, Intimation dated 24.11.2013 to the members of the Mahasabha indicating suspension of Sathish Baikampady and Harish Baikampady, Notice dated 09.11.2013 issued to Sathish Baikampady, Notice dated 09.11.2013 issued to Bhaskar Baikampady, Notice dated 17.11.2013 issued to Sathish Baikampady, Resolution dated 21.11.2013, Communication dated 29.06.2013 received from Mogaveera Yelupattana

Samyuktha Sabha along with Resolution extract, Communication dated 21.08.2013 to Mangaluru Mogaveera Yelupattana Samyuktha Sabha), it bears my signature. [Counsel for Accused objects for marking of documents other than the reply. A perusal of documents, the said documents were issued by respective societies by attesting them and handed over to the IO during investigation, hence the objection is over ruled]. The reply along with documents together marked as Ex.P33 and signature of witness is marked as 33(a). In the Resolution the reason for suspending Sathish Baikampady and Bhaskar Baikampady is noted.

16. I can identify Shawl of Gangadhar Pangal, indicator pieces and Radiator guard and Scooter of Gangadhar Pangal. Witness identifies Shawl (MO.1), Indicator pieces (MO.3), Radiator guard (MO.6), Scooter in Ex.P12-Photograph.

17. I can identify photographs in CD. CD produced along with charge sheet is played. Witness identifies photographs in CD. CD is marked as Ex.P34.

Cross-examination by accused Nos.1 to 4:-

Deferred at request for tomorrow.

(Computerized to my dictation in the open court)

ROI & AC

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