

Witness present and Duly Sworn on: 25.09.2025.

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

18. I completed Degree in B.A. I have an acquaintance with CW.28, 29, 30, 31, 32, 33 and 38. I do not know CW.36, 39 and 40. It is false to suggest that I know CW.34, 35 and 37.

19. It is false to suggest that I provided all the witnesses details to the IO and diverted the case of accident into a murder by colluding with police and other witnesses.

20. I was working as Manager in MCF Transport company from 1983 to 2019. Now I am working in the same company on request on part time duty.

21. When Gangadhar Pangal was the President of Baikampady Mogaveera Mahasabha between 2008 and 2011, I was Secretary. At that time Accused Nos.1, 3 and 4 were not in the committee. Before 2008 Bhaskar Baikampady was the President of Baikampady Mogaveera Mahasabha. In 2011-12, a renovation committee was formed for Gopalakrishna Bhajana Mandali. It is false to suggest that said committee was formed in the year 2011.

22. Shri. Ramanjaneya Mandira is sub organization of

Baikampady Mogaveera Mahasabha, but the management or Shri. Ramanjaneya Bhajana Mandira is different. Sathish Baikampady was President of Shri. Ramanjaneya Bhajana Mandira renovation committee. The committee consists of President, Secretary and Treasurer. Witness volunteers some time Honorary President will be also appointed. Gangadhar Pangal was not Honorary President of Shri. Ramanjaneya Bhajana Mandira renovation committee.

23. Gopalakrishna Bhajana Mandali Renovation Committee consisted Honorary President, President, 2 Secretaries and 2 Treasurers. I was one of the Secretaries. Treasurers were Nagesh and Bhaskar Baikampady. Gangadhar Pangal was Honorary President. Building inauguration of the Gopalakrishna Bhajana Mandali was done in 2012. It is true in January 2011, the building inauguration was made. Before inauguration, invitation was published in News Paper. Inauguration function was held between 15.01.2011 and 24.11.2011.

24. I do not know various organizations and institutions have felicitated Sathish Baikampady considering his social work.

25. It is true Gopalakrishna Bhajana Mandali Renovation Committee conferred 'Samaja Bhandu' on

Gangadhara Pangal by considering his 40 years social service and 'Yuvarathna Birudhu' on NAI National Awardee Sathish Baikampady considering his social services. It is false to suggest that Sathish Baikampady was selected as President by considering his social services.

26. On 05.01.2011, School Renovation inauguration was held. Witness states for construction of computer room the said inauguration was held. High School consists of Three floors. As on 01.04.2012, ground floor of the school building was completed and handed over for School, the 1st and 2nd floor structure was made but it was not finished.

27. After the term of Gangadhar Pangal, Sathish Baikampady became President of Baikampady Mogaveera Mahasabha on 12.07.2012. I was not in the said committee. Treasurer was Keshava Suvarna. After the term of Gangadhar Pangal in Baikampady Mogaveera Mahasabha, he was continued as Honorary President of Gopalakrishna Bhajana Mandali.

28. Regular meetings were held in Baikampady Mogaveera Mahasabha, Gopalakrishna Bhajana Mandali and School building committee. Witness states all the meetings were held in respective offices separately. It is false to suggest that Treasurer is more responsible for financial matters.

Witness states more responsibility is on President though Treasurer is only looking after the accounts. Duty of the Secretary is to holding meetings, exchanging correspondences etc.,.

29. Gopalakrishna Bhajana Mandali money transaction was around One crore in 2011. School Renovation Building committee money transaction was 80-90 lakhs.

30. In the year 2015, construction of 1st and 2nd floor of the school was completed during my tenure. Between July 2012 and February 2013 Sathish Baikampady was President of Baikampady Mogaveera Mahasabha.

31. Fund was collected for construction of Gopalakrishna Bhajana Mandali and High School Building from our community and also from outside. For collection of fund and management of both the institutions records were maintained. Every year Audit was done. Janardhan was Chartered Accountant of Baikampady Mogaveera Mahasabha. There was no Audit for Gopalakrishna Bhajana Mandali and High School Building Committee. In both the committees, accounts were verified by the committee and send the report to the Baikampady Mogaveera Mahasabha. It is false to suggest that Audit was being done by the Chartered Accountant in respect of Gopalakrishna Bhajana Mandali and High School

Building Committee as they are sub-committees of Baikampady Mogaveera Mahasabha.

32. Every month meeting is held in Baikampady Mogaveera Mahasabha. Depend on the work meetings are held in Gopalakrishna Bhajana Mandali and High School Building Committee. The respective Secretaries maintain all the records. Before commencing meeting, presence of members will be noted. The name of committee members are written in the resolution, the members who are present will sign in front of their names. In AGM, Mahasabha in December and March of Baikampady Mogaveera Mahasabha, the same procedure is followed. Agenda of the AGM and Mahasabha will be decided by the committee and the same will be placed in AGM and Mahasabha. If any member is having problem and about his grievance, he has to make representation to the committee. This applies to committee member.

33. Problems and grievances of Gopalakrishna Bhajana Mandali and High School Building Committee will be brought to the knowledge of Mahasabha. In special cases notices are being issued to the members for enquiry. Secretary used to serve notice. On the office copy signature of concerned receiver will be taken. We have not followed practice to send notice through Register post.

34. On 24.10.2013, in the Mahasabha meeting one of the members of the Mahasabha raised an issue that Sathish Baikampady did not provide School Building Committee accounts to the Mahasabha, in-turn when I asked Sathish Baikampady why he did not provide accounts of the School Building Committee, he abused me and asked me to step-down from Presidential ship, Bhaskar Baikampady was also in the meeting joined with Sathish Baikampady and he too repeated the same.

35. As on 24.10.2013, I was also member in High School Building Committee. Witness states but meetings were not being held.

36. High School Building was completed in 2015. Since meetings were not held, committee was not existing. After I became President, in the village Nagamandala Utsava was held and in the said Utsava a fund was created, by taking approval from the Baikampady Mogaveera Mahasabha, 1st and 2nd floor of the School building was finished.

37. I elected as President of Baikampady Mogaveera Mahasabha in April-2014. Since the IO did not ask me to provide about my Presidential ship selection, I did not handover the said document to the IO. In 2015, Baikampady Mogaveera Mahasabha held School building inauguration.

38. Except in 24.10.2013 Mahasabha, in no other meetings or Mahasabhas the issue of Sathish Baikampady was not discussed. No one lodged complaint even today about misappropriation of fund by the Sathish Baikampady in School Building Committee. Neither me nor any other committee members have lodged any complaint with respect to the misappropriation of fund by Ssthis Baikampady. Witness states Sathish Baikampady created E-mail ID in the name of his mother by furnishing his mobile number and diverted collection of fund from the General Public. When we made an enquiry why construction 1st and 2nd floor of the school building was stopped, at that time we came to know about misappropriation and diversion of fund. I cannot exactly state the month and year. 1st and 2nd floor building finishing work was stopped after inauguration of ground floor of the building. Since account papers of the building committee were not provided, we did not make complaint to the Baikampady Mogaveera Mahasabha about the same. As per direction of the President, the account papers will be with Treasurer.

39. On 20.02.2013, Sathish Baikampady and his team submitted oral resignations in the Baikampady Mogaveera Mahasabha and left from the committee though their term was not yet completed. On the same day their oral resignations were accepted. The Secretary of the Baikampady Mogaveera Mahasabha made an entry in the minute book about the same

on the same day.

Que:- I put it to you is in minute of Mahasabha it is mentioned the oral resignations of Baikampady Mogaveera Mahasabha was accepted?

Ans:- Since inspite of request made by Senior members of the Mahasabha to continue for the remaining period, Sathish Baikampady and his team did not adhere to their request and left the Mahasabha, therefore acceptance of resignation has not been recorded separately in the minutes Ex.P34.

40. It is false to suggest that without accepting resignation of Sathish Baikampady and his team, I became President of Baikampady Mogaveera Mahasabha illegally.

41. On 20.11.2013, we issued notice to Sathish Baikampady to furnish account papers of School Building Committee. The notice dated 20.11.2013 was not provided to the IO. Notices dated 24.11.2013, 09.11.2013, 09.11.2013 and 17.11.2013, do not bear signature of Sathish Baikampady and Bhaskar Baikampady for receipt of said notices. Witness states Sathish Baikampady and Bhaskar Baikampady did not receive those notices, the Secretary informed them orally.

42. It is false to suggest that aforesaid documents were created to harass them. It is false to suggest that since we

have created those documents, I have produced copies of those documents to the IO.

43. In meeting dated 24.10.2013 Resolution copy, signature of Sathish Baikampady and Bhaskar Baikampady are not forthcoming. Witness states but they were present on that day. It is false to suggest that I am falsely deposing they were present in the meeting though they were not present in the meeting. It is false to suggest that I and Secretary have created Resolution dated 24.10.2013 after the incident as supporting document to prove the motive.

44. I have not enclosed notice issued by IO along with Ex.P33. I have not mentioned in Ex.P33, the date on which IO issued notice to me.

45. We have not lodged complaint to the police about misappropriation of funds by the Sathish Baikampady.

46. It is false to suggest that 24.10.2013 meeting minute was created to suit our convenience. It is false to suggest that Sathish Baikampady did not create any E-mail and did not divert any funds. It is false to suggest that the said allegation is false. It is false to suggest that only to become a President, I created the aforesaid story.

47. Baikampady Mogaveera Mahasabha pertains to our village. Baikampady Mogaveera Mahasabha comes under Yelu Pattna Mogaveera Samyuktha Sabha. The said Samyuktha Sabha consists of 11 villages/Mahasabas. Baikampady Mogaveera Mahasabha and Yelu Pattna Mogaveera Samyuktha Sabha come munder Hadinalku Pattna Mogaveera Samyuktha Sabha which consists of 21 villages/Mahasabhas. Two District Dakshina Kannada and Udupi are having Mogaveera Mahajana Sangha which consists of 156 villages/Mahasabhas which is head of all the Mogaveera Mahasabhas.

48. If any grievances within the villages of the villager/member, the said grievances have to be resolved with village Mahasabha. If any grievances between 2 villages/Mahasabhas, the said grievances will be hear by Yelu Pattna Mogaveera Samyuktha Sabha. I any grievances, the said grievances have to be raised before higher Mahasabha through village Mahasabha.

49. We have not given any complaint to Yelu Pattna Mogaveera Samyuktha Sabha with respect to allegation of Sathish Baikampady and Bhaskar Baikampady. Witness states they received communication from Yelu Pattna Mogaveera Samyuktha Sabha for change of Sathish Baikampady and his team. In the minute dated 20.02.2013, there is a reference about receipt of communication from Yelu

Pattna Mogaveera Samyuktha Sabha and discussion was held in the meeting with respect to the said communication. Initially Sathish Baikampady did not read out the communication, on the pressure made by members, the said letter was read out in meeting. It is false to suggest that in the said communication only it was communicated for change of representatives of Yelu Pattna Mogaveera Samyuktha Sabha and not for change of Sathish Baikampady.

[Deferred at 2.45 p.m. as it is 2.00 p.m.]

50. Presently Vasanth Amin-CW.10 is Pesident of Baikampady Mogaveera Mahasabha. When I was President, he was Joint-Secretary.

51. It is false to suggest that on 15.05.2014, I did not receive call from CW.30-Nithin Mendon about the incident and I am deposing this fact first time before the court. When we assembled at Gopalakrishna Bhajana Mandira, I did not call PW.2-Yadhava Puthran to know the incident and development over the incident. I did not visit house of Gangadhar Pangal at that time.

52. When we went to the spot, 3-4 police personnel were present. Lady police officer was not present. Scooter of the Gangadhar Pangal was half lying under tree. I saw scooter in a

distance of 10 feet. I saw back number plate of Scooter. I did not make enquiry with the police who were present there.

53. It is false to suggest that I have not stated before the police about we assembled at Gopalakrishna Bhajana Mandira at 6-6.30 a.m. and we went to spot from there before going to hospital and saw the spot including the articles and scooter. It is false to suggest that I am deposing this fact first time before the court.

54. The distance between spot and police station is 2-3kms. I did not make an attempt to go police station before going to hospital from the spot. I and Harishchandra Karkera S/o. Srinivasa Karkera went to A.J. Hospital. Before 8.00 a.m. we reached A.J. Hospital. PW.2 was present. 2 police were also present. Among 2 police, lady police officer was not there. I did not hold detail discussion with PW.2 except asking whereabouts body. I was there in the hospital for 15 minutes. Then I and Harishchandra Karkera went to police station.

55. On 15.05.2014, I lodged complaint to the police. I have mentioned reason to lodge complaint as by observing the spot and injuries found on the body, I thought it was not an accident and it was a murder through accident. At that time I did not think to lodge complaint against a particular person, therefore I have not mentioned the name of assailant.

Meenakali road connects to K.K. gate. Good vehicles from Bunder to Baikampady move in the Meenakali road to proceed Surathkal side. Witness states goods vehicles also move in another road to proceed Mangaluru side. It is false to suggest that in the night hours there is movement of vehicles on Meenakali road. It is false to suggest that deliberately I am deposing there is no vehicle movement on Meenakali road in night hours.

56. Since I went to police station on 16.05.2014 to make an enquiry about complaint lodged by me on 15.05.2014, I have not stated said fact in my statement on 16.05.2014. Witness also states the police have given an endorsement on 23.05.2014 with respect to lodging complaint by him stating that based on my complaint case was converted into an offence U/Sec.302. It is false to suggest that I am deposing all these facts first time before the court in order to harass and trouble the accused.

57. On 15.05.2014, when we went to police station, no other persons pertaining to this case were present. Lady police officer was not present in the police station. I was in the police station for about 30 minutes. From the police station, I went to spot and present on the spot till 10.30 a.m. We were standing after barricade, police officials were doing their procedure. Other public were also present. It is false to

suggest that I did not visit spot and did not see anything on spot as stated by me in the chief examination.

58. I have not stated before the police, Accused Nos.1, 3 and 4 did not attend funeral of Gangadhar Pangal. It is false to suggest that deliberately I am deposing before the court that they did not attend funeral of Gangadhar Pangal.

59. I have not stated before police about I met Gangadhar Pangal on 14.05.2014 at Bobbariya Temple, Chitrapura and conversation held between us.

60. On 15.05.2014, after funeral of Gangadhar Pangal, I did not visit police station.

61. On 16.05.2014, first I alone went to police station at 9.30 a.m, later on others came. Harishchandra Karkera, Rohit Kunder, PW.4, PW.5, Dileep Kumar CW.11, Vasanth Amin CW.10 and other 4-5 persons came. I was present in police station till afternoon. When I was present in police station, PW.2, PW.3 and CW.5 did not come to police station on 16.05.2014. I do not know CW.13, 14 and 15 came to police station on 16.05.2014 when I was present and I do not know if they visited after I left the police station.

62. It is false to suggest that I took all the witnesses to

the police station on 20.05.2014 and made them to give statement before the IO. It is false to suggest that on 16.05.2014, neither my statement nor statement of any witnesses was recorded. It is false to suggest that all the statement of witnesses have been recorded to suit our convenience. It is false to suggest that first time I am deposing before the court, I went to police station on 20.05.2014 to make an enquiry about complaint and case details.

63. I went to police station at 1.00 p.m. on 20.05.2014. Venkatesh Bangera CW.26 and Bhaskar Kanchan CW.27 are members of committee. It is false to suggest that I took them to the police station to take their signatures on the documents to be created by I and the police. It is false to suggest that I made an arrangement to bring Bhaskar Baikampady, Harish Baikampady and Pushparaj. I have not stated in my statement on 20.05.2014, that Inspector told they brought Bhaskar Baikampady, Harish Baikampady and Pushparaj from Kudhuremukha Junction. It is false to suggest that in our presence Accused Nos.2 to 4 (Bhaskar Baikampady, Harish Baikampady and Pushparaj) statements were not recorded. While making enquiry with Accused Nos.2 to 4, no separate mahazar was conducted.

64. It is false to suggest that purposefully I falsely implicated Bolero vehicle and Ritz car to avoid other suspicion.

It is false to suggest that the entire story was created by me and documents and witnesses were supplied to support the said created story.

64. It is false to suggest that Pushparaj did not volunteer anything before us as stated by me in chief examination para no.5.

65. It is false to suggest that Bhaskar Baikampady did not volunteer anything before us as stated by me in chief examination para no.6.

66. It is false to suggest that Harish Baikampady did not volunteer anything before us as stated by me in chief examination para no.7.

67. We left police station in police Jeep. Police officer, I, CW.26, CW.27, Pushparaj in one Jeep, in another Jeep 3-4 police staffs left. The police enquired owner details of Shakthi Garage, but I do not know if police came to know who was the owner of said garage. I did not observe if license for running garage was displayed in the garage. The police officer did not secure local persons to take signature on the Mahazar. In our presence statement of Nitheesh CW.18 was not recorded. The police took signature of Nitheesh. It is false to suggest that Pushparaj did not take us to Shakthi Garage, did not show

Bolero vehicle and the police did not seize Bolero vehicle from the garage.

68. It is false to suggest that Mahazars of Bolero and Ritz car were preparing in the police station on 23.05.2014 at our instance by the police. It is false to suggest that on 23.05.2014, we created piece of Radiator guard and the same was seized and packed on 23.05.2014. It is false to suggest that Ex.P29-Photographs were not taken in Shakthi garage on 23.05.2014. The 2nd photograph of Ex.P29 was taken to show it was taken in Shakthi Garage. In 2nd photograph other vehicles are seen. In 2nd photograph Bolero vehicle and we are not seen. It is false to suggest that Ex.P29-Photographs were taken on 23.05.2014. It is false to suggest that Ex.P27-Photograph of Ritz car was also taken on 23.05.2014. It is false to suggest that we created invisible photograph of Bolero vehicle.

69. Maruti 800 car was parked in the office of Bhaskar Baikampady. The said office is towards North side of Ganesh Shipping Godown. Beverage office belongs to Bhaskar Baikampady. It is false to suggest that Maruti 800 car was seized on 23.05.2014 by implicating the said car as it was involved in the commission of offence. It is false to suggest that Bhaskar Baikampady did not take us to his office, did not produce Maruti 800 car on 20.05.2014, and the said car was

not seized by conducting Mahazar on that day.

70. It is false to suggest that in 2014 National Highway opposite to APMC was 4 lane highway. At the main gate of APMC, watchman is posted. The said area is busy with vehicles and public. It is false to suggest that in the night hours also the said area is busy with vehicles and public. In our presence police officer did not enquire with watchman of APMC. The police officer did not enquire persons of Vishwasagara Hotel or surrounding shops.

71. It is false to suggest that Bhaskar Baikampady and Pushparaj did not show places in front of APMC yard and no mahazar was conducted. It is false to suggest that this mahazar was also prepared on 23.05.2014 in the police station and our signatures were taken on that day.

72. It is false to suggest that on 15.05.2014, on the spot I did not see scooter bearing Reg.No.KA-19-EH-8393. It is false to suggest that Gangadhar Pangal was not proceeding on scooter bearing Reg.No.KA-19-EH-8393 on the intervening night 14.05.2014 and 15.05.2014. It is false to suggest that Ex.P34-CD was created.

73. It is false to suggest that MO's described by me in the chief examination have no nexus with the case.

74. It is false to suggest that I have created entire false story and misguided family members of Gangadhar Panal.

75. I have an acquaintance with Gangadhara Hosabettu. I know Gangadhara Hosabettu met with an accident 1 year earlier to the present incident. I came to know later on that during investigation of this case, Sathish Baikampady and Pushparaj were made as Accused in the accident case of Gangadhara Hosabettu by re-opening the case. I came to know later on the Bolero car which is in this case was also involved in the said case. I have seen in Newspaper the said case was ended with an Acquittal. It is false to suggest that I and Gangadhara Hosabettu joined together and re-opened the said case.

76. It is false to suggest that the Accused Nos.1 to 4 have no nexus to the death of Gangadhar Pangal. It is false to suggest that since Accused No.2 is close associate of Sathish Baikampady, he has been implicated in the case.

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.