

Witness present and Duly Sworn on: 30.07.2025.

Further Examination in Chief by Public Prosecutor:-

5. When I went to my mother-in-law's house, my father-in-law was sitting on the Sofa as he was paralyzed. I asked my father-in-law whereabouts of my mother-in-law, he showed by hand sign towards bed room, I went inside bedroom and made an attempt to wake up my mother-in-law but she did not wake up, body was cold and I checked breathing, she was not breathing and I confirmed she was dead. I was shocked and called my sister-in-law CW.6 and told my mother-in-law was dead, in-turn she told to inform the same to the neighbors and also to the police, I informed neighbors and called police over phone. The police came to house. I lodged complaint to the police on the spot itself and they started their procedure. I now see complaint, it bears my signature (It is UDR Complaint). The same are marked as Ex.P10 and 10(a).

6. Since it was late night, the police shifted the body to the Father Muller hospital for conducting Inquest in the hospital. Before shifting dead body, the police prepared Mahazar. At that time Shivappa, Monthu Marian Fernandies and other were present. I now see Mahazar and Sketch, they bear my signatures. The Mahazar and signature are marked as Ex.P11 and 11(a). The sketch and signature are marked as Ex.P12 and 12(a).

7. CW.3-Praveen and his wife have told me the Accused No.1 Elma was very much present in our house. Since I did not have mobile number of Accused No.1, CW.6 called the Accused No.1 over phone but she did not pick up the call.

8. On the next day morning, Inquest Mahazar was conducted in Father Muller hospital between 8.30 and 10.30 a.m. When we saw body, we found injuries over surrounding neck, Cheek and below the shoulder on both hands, both thighs of legs, contusion over chest. I also noticed chain with Yesu cross and ear studs were missing. On observing the injuries, we suspected death of my mother-in-law and requested for conducting PME. Then body was shifted to K.S. Hegde Hospital, Deralakatte for conducting PME. On the same day PME was conducted. After conducting PME, body was handed over to us in the afternoon, we performed last rituals.

9. On 01.02.2021, we all the family members gathered in the house and held a discussion about the death of my mother-in-law. At that time we made detail search of Godrej locker and house. When we made search, gold articles were missing in the locker. CW.3-Praveen told on 25.01.2021 at 11.30 p.m. he saw one Activa scooter in-front of our house. Since gold articles were missing, our suspect was strengthened hence PW.3 lodged complaint on 02.02.2021 to the police. On 02.02.2021, I too went to the police station, the

police made an enquiry with me and recorded my statement.

10. On 02.02.2021, in the police station, the police showed us gold articles viz, Chain with Yesu cross, hand bangles, 7 finger rings and ear studs in the police station. The above gold articles belong to my mother-in-law. On 02.02.2021, the police brought the Accused No.1 to our house. The accused no.1 explained how she committed the offence. The accused No.1 told she would produce the articles and brought the police to the house. The Accused No.1 showed Pillow and shawl (Biras).

11. On 03.02.2021, the police called us to the police station and showed Accused Nos.2 and 3 and told they too involved in the crime. The police also showed two bottles said to contain poisonous substance. The police also showed Mangalya Chain. The Mangalya chain belongs to my mother-in-law. The police told how the accused committed murder of my mother-in-law as told by the accused persons to them. On that day we were also shown scooter bearing Reg.No.KA-19-HF-0096 in police station.

12. I can identify accused Nos.1 to 3. Today 2 accused persons present before the court. The witness identifies two accused persons as Elma and Sathish. On enquiry with them, they reveal their names as Elma and Sathish. Accused Charan

Kumar today absent, counsel has filed EP and submits no objection regarding identification.

13. I can identify gold articles. Witness identifies gold articles in Ex.P9-photographs. (Gold articles have been released to the PW.3)

14. On 04.03.2021, I and Laveena Karlo were called to CEN police station. In the police station, the police showed three mobiles viz, Samsung mobile handset and two Redmi mobiles. All the mobiles were switched off. In the police station, the police showed chattings held between Elma and Sathisha and Charan. A document was prepared with respect to the same between 9.30 a.m. and 10.00 p.m. I now see Mahazar, it bears my signature. The same are marked as Ex.P13 and 13(a).

15. I can identify all the three mobiles, it they are shown to me. The witness has identified MO.1 and 4 two mobiles. Another sealed cloth packet is produced on which signature of witness is forthcoming, the same is permitted to be opened. On opening of sealed cover, witness identifies the said mobile. It is Redmi mobile. The same is marked as MO.13.

Cross-examination by Sri. VRA Advocate for accused Nos.1 and 2:-

16. It is false to suggest that I have stated in my complaint my in-law's were looked after by us in the house of my mother. I have stated in my complaint we looked after my in-law's in our house. Before one month of the incident, my in-law's went to their house as I was pregnant and went to my parents house. It is true since my in-law's were not keeping well, CW.14 and her son used to stay with my in-law's. At the time of incident I was 5 months pregnant. I used to enquire my in-law's over phone regularly and visit them occasionally.

17. May be before one week of the incident I saw my in-law's. 3-4 days prior to the incident I had spoken to them. It is true my in-law's were under regular medication. CW.14 used to get medicines and take care my in-law's during the incident.

18. When I went to my in-law's on 26.01.2021, my father-in-law was alone. Then CW.8, CW.9, CW.3-Praveen Karlo, CW.4-Violet Mellow, CW.5-Jeevan Karlo and others came. PW.3 came after shifting dead body.

19. In the complaint I have not stated Elma was working in our in-law's house. It is true when the Inquest Mahazar was conducted, throughout proceedings I was present and gave answers to the questions post by police. After shifting body, I stayed out side the house till arrival of other relatives then I

went to my parents house. I do not remember exactly at what time I left my parents house. Food was brought from my parents house to my father-in-law.

20. CW.6 called Elma over phone before police came to the house. CW.6 told me that she had called Elma.

21. I did not observe if Elma was present when last rites of my mother-in-law was held.

22. My mother-in-law was regularly wearing Yesu cross chain. In our in-law's house there is sufficient light facility. There are four small bedrooms in our in-law's house.

23. We came to know while conducting Inquest Mahazar missing of golden ornaments on the body. It is true when the Inquest Mahazar was conducted PW.3, CW.3, CW.6, CW.5, CW.4 were present. It is true while conducting Inquest Mahazar and recording statement of witnesses PW.3, CW.3, CW.6, CW.5, CW.4 were present and CW.3 to CW.5 have not stated about visiting of unknown persons in a motorcycle on 25.01.2021 at 11.30 p.m.

24. On 27.01.2021, I went to my parents house from hospital. We took my father-in-law to our parents house.

25. I do not have personal knowledge that on 25.01.2021 and 26.01.2021, Elma worked in our in-law's house. It is true I have no personal knowledge what was the overt act against Accused Nos.2 and 3.

26. PW.3 took me to police station in the afternoon on 02.02.2021. I saw Elma in police station on 02.02.2021 around 4.00-5.00 p.m. At the same time we were shown to gold articles. Elma was sitting on the chair with hand-cups. In her front on the table gold articles were kept. We return to house at 6.30 p.m. on 02.02.2021.

27. On 03.02.2021, we went to police station in the evening. It is true the police have arrested accused nos.2 and 3 and kept the articles separately in the police station. I do not have personal knowledge if the gold articles were collected at the instance of Accused Nos.1 to 3.

28. It is false to suggest that Accused No.1-Elma never worked in our in-law's house.

29. It is true I am one of the victims in the case. I cannot say why I was called to the police station though I was pregnant at that time.

30. It is false to suggest that Elma did not bring police

and did not show any articles in our in-law's house.

31. It is false to suggest that on 03.02.2021, the police did not show any bottles said to contain poisonous substance.

32. As per my say, the police wrote complaint Ex.P10. I read the contents of complaint.

33. I studied upto SSLC. I do not know operating computer.

34. It is false to suggest that no mahazar was conducted in police station pertaining to exchange of chat messages in the mobiles of Accused Nos.1 to 3. It is false to suggest that my signature was taken in Bantwala Rural police station.

35. We have Activa scooter in our house. I do not know registration number of the vehicle. It is false to suggest that on the say of police I deposed scooter which said to have shown to me in police station.

36. All the gold articles which are seen Ex.P9 were shown to us in police station when Elma was present in the police station. After showing gold articles along with Elma in the police station, the police brought her to our in-law's house to show Pillow and Biras.

37. It is false to suggest that though I do not have any information about the case and against the accused, I am deposing false.

Cross-examination by Smt. AN for Accused No.3:-

38. The distance between our house and Bantwala police station is 13k.m.

39. On 26.01.2021, I went to my in-law's house at 6.15-20 p.m. Thereafter I did not go anywhere. I have not stated in my complaint about checking of my mother-in-law when I went to the house. I did not make an attempt to call doctor to the house. Even others did not make an attempt to call doctor. Directly I called the police. I have not stated in complaint Ex.P10 about missing of Gold ornaments on the body of my mother-in-law and injuries on the body.

40. It is true as per our custom before burial or burning, our family members have to full fill customary things such as bathing and draping of cloths.

41. I do not remember exactly at what time body was shifted from the house. May be around 10.00 p.m. Thereafter PW.3 came to house.

42. CEN police did not give notice in writing to call us. CEN police station is in Mangaluru. I cannot say exact location. In CEN police station Mahazar was conducted. I can say what was written in Mahazar. In the Mahazar it was written what was transpired in the chat messages of mobiles of Elma, Sathish and Charan. Now I cannot say IME numbers and mobile numbers of said mobiles. The chat messages were prior to 2-3 days of the incident. In the chat messages Sathish expressed about providing poisonous substance and I should not be responsible in future if it comes out. It is false to suggest that I did not go to CEN police station and no Mahazar was conducted.

43. It is false to suggest that Accused No.3-Sathish has no way concerned to the case.

Re-examination: Nil.

(Computerized to my dictation in the open court)

ROI & AC

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