

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

Special Case: 157/2020

PW: 6 (CW: 7)

Witness present and Duly Sworn on: 30.09.2025

Deposition of	:	Naveen P Amin
Father/Husband Name	:	Padhmanabha Amin
Age	:	41 years
Occupation	:	Battery shop
Resident Of	:	Permude Village, Mangaluru.

Examination in Chief by Public Prosecutor :-

1. I do not know deceased Keerthi. I do not know PW.1, CW.2, PW.2, CW.4, PW.3, CW.6, PW.4, CW.9 and PW.5. I do not know the Accused of this case.

2. I do not know anything about this case. The police never called me for investigation of this case. One document (Seizure mahazar dated 02.06.2020 held between 4.30 and 6.30 p.m.) is shown to witness, he admits his signature on the Mahazar, hence Mahazar is marked as Ex.P9 and signature of witness is marked as Ex.P9(a). No mahazar was conducted and nothing was seized in my presence.

3. Seized cloth packets on which P1, P2, P3, Q1, Q2, R1, R2, R3, S1, S2, S3, T1, T2, T3, U1, U2 are written are shown to witness, he identifies and admits his signatures on the cloth packets. Witness states he was called from the police station, he went to police station and the police took my signature.

4. Another document (Seizure mahazar dated 03.06.2020 held between 9.00 and 10.30 a.m.) is shown to witness, he admits his signature on the Mahazar, hence Mahazar is marked as Ex.P10 and signature of witness is marked as Ex.P10(a). No mahazar was conducted and nothing was seized in my presence.

5. Seized cloth packets on which V1 to V4 are written are shown to witness, he identifies and admits his signatures on the cloth packets. Witness states he was called from the police station, he went to police station and the police took my signature.

(at this stage, at the request of Public Prosecutor this witness has been treated as hostile and permission is accorded for cross examination)

Cross-examination by Public Prosecutor:-

6. It is false to suggest that on 31.05.2020, at 8.50 p.m., when I and Pradeep Suvarna were in the house of my

relative Kishore, at that time my relative as well as friend Ganesh called me and told his brother Nithin Poojary and his brother's friends Manish Jogi and Keerthi were assaulted by Deepesh and his friends and sustained severe injuries and called me to bring car near Kavya Circule, Devaragudde, immediately, I conveyed the same to my friend Pradeep and Kishore, took car of Kishore bearing Reg.No.KA-19-MB-7561 to Devaragudde Kavya Circle, by that time PW.3-Dinesh already came along with his car, Nithin Poojary received injuries over stomach and left shoulder, Manish sustained stab injury over waist, Keerthi received injury over head with a sharp weapon, Nithin Poojary and Manish were in a speaking condition but Keerthi was unconscious, immediately Dinesh took Nithin Poojary and Manish Jogi in his car, I, Ganesh, Pradeep Suvarna took Keerthi to Hospital, on examination the doctors admitted Nithin and Manish as inpatients and declared Keerthi was dead, when I enquired with Nithin about the incident, he told Deepesh and friends assaulted them, but did not explain in-detail about the incident as he was under treatment, on the next day on 01.06.2020, when I called Ganesh over phone and enquired him, he explained in-detail about the incident that Prasad fell into a well and sustained injuries and admitted in KMC hospital, with respect to the same Deepesh was spreading bad news about Prasad, on 31.05.2020 at 6.40 p.m Manish called Deepesh over phone and requested not to spread bad news, in-turn Deepesh

abused them over phone and also gave threat and Deepesh asked whereabouts of them and he would come there, in turn Manish told they were near the house of Nithin Poojary, Devaragudde, after sometime Deepesh and his friends Suhas Shetty, Prashanth, Dhanraj, Megharaj, Mokshith, Rathnakara Acharya came at 8.30 p.m on 3 motorcycles, started to abuse Manish, Nithin Poojary and Keerthi and started to assault them with clubs and beer bottles which were holding in their hands, Deepesh assaulted on the head of Keerthi with beer bottle with an intention to kill, Suhas and others assaulted with club and Katthi, when Manish and Nithin went for rescue of Keerthi, they kicked Manish with legs and assaulted with clubs, further they made an attempt to kill Nithin Poojary with knife, Manish escaped from the blow however sustained injury over left arm when they raised Alarm the aforesaid person sped away from the spot along with motorcycles, then I came to know Manish lodged complaint about the incident and case was registered, I also came to know on 02.06.2020, the police have arrested Suhas Shetty, Prashanth, Mokshith, Deepesh, Dhanraj and Megharaj. Statement is read over to witness, he denies the same. Statement is marked as Ex.P11.

7. It is false to suggest that on 02.06.2020, the police called me to the police station, I and CW.24 went to police station, in the police station, Suhas Shetty, Prashanth, Mokshith, Deepesh, Dhanraj and Megharaj were present, the

IO sought our assistance for conducting mahazar at the instance of Accused and enquired the Accused persons in our presence, the Accused volunteered that they would produce cloths and mobiles, the Accused Suhas Shetty produced full sleeves white colour shirt stained with blood traces, blue colour jeans pant and Nokia mobile set, the same were seized, packed and sealed and assigned P1 to P3 mark, the Accused Prashanth produced slate colour half sleeves T-shirt stained with blood traces, light brown colour Bermuda, the same were seized, packed and sealed and assigned Q1 and Q2 mark, the Accused Mokshith produced red colour half sleevesw banian, light yellow colour bermuda and one Vivo gold colour mobile handset, the same were seized, packed and sealed and assigned R1 to R3 mark, the Accused Deepesh produced red colour with block stripe shirt, Slate colour pant, Realme Mobile handset, the same were seized, packed and sealed and assigned S1 to S3 mark, the Accused Dhanraj produced Orange with block colour T-Shirt, block colour night pant, Samsung mobile handset, the same were seized, packed and sealed and assigned T1 to T3 mark, the Accused Megharaj produced blue colour track pant and white colour design T-Shirt, the same were seized, packed and sealed and assigned U1 and U2 mark, a detail mahazar was prepared and seized cloths and mobiles between 4.30 and 6.30 p.m, read over the contents of mahazar and took our signatures on the Mahazar and sealed articles as per Mahzar Ex.P9.

8. It is false to suggest that 03.06.2020, I and CW.24 Ganesh were called to police station, Suhas Shetty, Prashanth, Mokshith, Deepesh, Dhanraj and Megharaj were in the police station, they volunteered before us they would produce weapons and vehicles which were used for commission of offence if they were taken to, they took us near Water Tank, Burial ground, the Accused Suhas Shetty showed motorcycle bearing Reg.No.KA-19-EF-9935 and also told he and Deepesh kept knives underneath petrol tank and took out one red colour cloth containing 2 knives, produced before the IO, one knife was measuring 10inch length and 5inch width and told the said knife was used by Deepesh, the said knife also contained blood traces and further told from the said knife Manish was assaulted, another knife was dragon knife measuring 11X 1 ½X7 inches and told the said knife was containing blood traces and used to assault Nithin Poojary by Suhas Shetty, the motorcycle was Yamaha FZ, 2 knives and red cloth were separately packed and sealed and assigned V1 to V3 marks, further they took us in a distance of 50 feet, accused Prashanth went near shrubs and showed black colour scooter, the said scooter was bearing Reg.No.KA-19-EK-2616, the said scooter was seized, then Prashanth took out one Katthi from shrubs and produced before the IO, the same was measuring 1 ½ feet length with blood stains, and it was used to assault Keerthi, the IO packed and sealed in a separate cloth packet and assigned mark V4, prepared detail mahazar

as per Ex.P10, read over contents of mahazar and took our signatures on the mahazar and sealed cloth packets.

9. It is false to suggest that, though I shifted the injured persons to the hospital in the car and know about the complete details of the case, in view of the compromise entered with the accused, I am deposing false.

10. It is false to suggest that though I participated in both the mahazars dated 02.06.2020, and 03.06.2020 and articles and vehicles were seized at the instance of Accused, now I am denying them.

Cross-examination by Smt. SA Advocate for Accused Nos.1, 3 to 5 and 7:-

Submits no cross-examination.

Re-examination: Nil.

(Computerized to my dictation in the open court)

ROI & AC

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