

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

Sessions Case: 71/2021

PW: 6 (CW: 8)

Witness present and Duly Sworn on: 09.04.2026

Deposition of	:	Savithru Tej P.D.
Father/Husband Name	:	P. Devadas
Age	:	44 years
Occupation	:	PI, Western Range, Mangaluru.
Resident Of	:	Mangaluru.

Examination in Chief by Public Prosecutor :-

1. From October 2014 to December 2015, I had worked in Ullala P.S.

2. On 14.03.2015, I took up further investigation from PW.1-Rajendra and verified case papers. At that time there was communal tension and law and order problem on account of communal violence held within the jurisdiction of police station, hence, I was on rounds to watch the situation. On the same day I received MLC intimation of PW.2 and CW.3 from Netaji Yallappa memorial hospital.

3. On 15.03.2015, I visited spot situate at Permannur

village, Thokkottu on National Highway. PW.1 was present. I secured CW.4 and 5 as panchaas. PW.1 showed spot. I conducted mahazar between 12.30 and 1.15 noon. While conducting mahazar I observed glass pieces on the Tar road and gravels by the side of road. PW.1 told said gravels were used by assailants during incident. PW.1 also told glass pieces belong to vehicles which were passing at the time of incident. I collected four gravels, glass pieces, seized, packed and sealed them. I read over contents of mahazar to the panchaas and took their signatures on the mahazar and sealed cloth packets. I now see Mahazar Ex.P3, it bears my signature. Signature of witness is marked as Ex.P3(b). I also prepared sketch, it bears my signature. The same are marked as Ex.P10 and 10(a). I can identify gravels and glass pieces. Witness identifies MO.1 to 5.

4. I returned to police station and included them into PF list. I recorded further statement of PW.1 on the same day. I recorded statements of Mohan, Kamalaksha. Though I made an attempt to record statement of neighbors of spot, no body came forward to give statement.

5. On 18.03.2015, I deputed my staffs for search of Accused. ASI submitted oral report no information was available with respect to accused.

6. On 25.03.2015, I deputed my staffs on special duty for search of Accused. I too was searching the accused with my staffs. On that day we searched accused at various places, but, no information was available. On the same day, I made a request to the medical officer to furnish wound certificates of PW.1, PW.2 and CW.3.

7. On 03.04.2015, I and my staff made search of Accused, no information was made available.

8. On 13.04.2015 too I did not get information about accused.

9. On 27.04.2015, I received wound certificates of PW.1, PW.2 and CW.3.

10. On 17.08.2015, I made a request to the Court to secure presence of Haris @ Koli Haris, Arfan @ Arfa, Saifulla @ Saifu, Haneef @ Ibrahim @ Ibrahim Ibba who were in JC in crime No.276/2015 of Ullala P.S.

11. On 01.12.2015, at 4.30 a.m, I and my staffs apprehended accused Ummer Koya S/o. Sayyad Abdulla from his house. On the same day at 4.45 a.m, I and my staffs apprehended accused Asif S/o. Hasan Bawa near his house. We brought both accused to the police station. After medical

examination, I sent them to Jurisdictional Court along with remand application.

12. On 03.12.2015, I and my staffs apprehended Ummer Farooq @ Mana Farooq S/o. Moyiddin at 6.00 a.m, near Old port Masjid brought him to police station, after examination sent him to Jurisdictional Court along with remand application.

13. In view of my transfer, on the same day I handed over further investigation to PW.4.

14. I can identify Haris @ Koli Haris, Arfan @ Arfa, Saifulla @ Saifu, Haneef @ Ibrahim @ Ibrahim Ibba, Ummer Koya S/o. Sayyad Abdulla, Asif S/o. Hasan Bawa and Ummer Farooq @ Mana Farooq S/o. Moyiddin. Today 7 accused persons present before the Court. Then witness states he can identify them only by face and not by name. Witness states all the 6 persons whom he arrested are present before the Court today. Witness states except first person from right, he arrested all other six persons. On enquiry with other six persons except first person from right, they revealed their names as Salam, Asif, Saif, Assainar, Hazar, Hussainar.

Cross-examination by Sri. NB Advocate for Accused Nos.1 to 4, 10, 11 and 12:-

15. At that time on the spot no CC cameras were installed. It is false to suggest that CC cameras were installed in the commercial buildings situate at the spot. It is true on the date of incident, a lathi charge was made to disperse the assembly. I do not remember public have suffered injuries on account of lathi charge. I have visited spot on 13.03.2015. I had no knowledge police personnel have sustained injuries in the incident.

16. It is false to suggest that I did not visit spot and did not conduct mahazar on the spot. It is false to suggest that spot mahazar was prepared in the police station. Since before preparing draft spot sketch, panchaas left the spot, I have not taken their signature on the draft sketch. I cannot say at what time I have prepared draft spot sketch. My assistant prepared draft sketch as per my directions. It is false to suggest that I have created mahazar and sketch on the direction of Higher Officers. It is false to suggest that there is no proof to show MO.1 to 5 were seized from the spot. It is false to suggest that MO.1 to 5 were created. It is false to suggest that I am falsely deposing nobody came forward to give statement from the spot. Since nobody came, I did not take their details.

17. It is false to suggest that I and my staffs did not

make an effort to apprehend accused on different dates. I cannot say Accused Ummer Farooq is not present today before the Court. It is false to suggest that Six accused identified by me today were not arrested by me.

Cross-examination by Sri. BAB Advocate for Accused Nos.5 and 7:-

18. I have not made an attempt to conduct TIP. Witness states since accused were having facial acquaintance, no TIP was conducted. On the next day of incident, case was registered. So many persons involved in incident.

Cross-examination by Sri. NK Advocate for Accused No.8:-

Adopts 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.