

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

Sessions Case: 88/2021

PW: 6 (CW: 5)

Witness present and Duly Sworn on: 20.08.2025

Deposition of	:	Jeevan Karlo
Father/Husband Name	:	Joseph Karlo
Age	:	39 years
Occupation	:	Auto Driver
Resident Of	:	Pandelu House, Amunje Village.

Examination in Chief by Public Prosecutor :-

1. CW.3-Praveen Karlo is my brother. PW.5 is my sister-in-law. I know PW.3-Ronald Karlo, PW.4-Shamin, CW.6-Gracy Veagus, I know CW.7. CW.8-Montu Marina Fernandies, CW.9-Shivappa Poojary, CW.10-Ronald D'souza, CW.11-Kevin, CW.12 Maxin Pais, CW.13- Walter Karlo, CW.14-Jecinta, CW.15-Savitha. I knew deceased Bendict Karlo and I know her husband Hinas Karlo.

2. I have seen the Accused No.1-Elma who present before the court. I have seen Charan on 25.01.2021 at 11.30 p.m., along with motorcycle in front of house of Benedict Karlo. Witness identifies first from left as Charan. On enquiry with him, he reveals his name as Charan.

3. Our house is nearby the house of Benedict Karlo. In the house of Benedict Karlo, she and her husband were residing as their children stay at different places. Hinas Karlo was 75 years old and attacked with paralysis and he is not moving from one place to another place and bed ridden. Benedict Karlo was old about 65 years at the time of her death.

4. Accused No.1-Elma was working in the house of Ronald Karlo-PW.3 in Bangalore earlier.

5. Before death of Benedict Karlo, the Accused No.1 used to visit house of Benedict Karlo for household works. On 24.01.2021, I saw Accused No.1 in the house of Benedict Karlo. On 26.01.2021, morning I dropped my sister-in-law PW.5 and the Accused No.1-Elma in my auto rickshaw to Kammaje.

6. On 26.01.2021, around 8.00 p.m., my brother Praveen Karlo called me over phone and told when he visited house of Benedict Karlo, he found Benedict Karlo was dead. I came to house and wen to the house of Benedict Karlo. The police came to house of Benedict Karlo on the information given. I saw dead body of Benedict Karlo.

7. After receiving postmortem findings, it was come to

know death of Benedict Karlo was murder, hence PW.3 lodged complaint on 02.02.2021. On 02.02.2021, the police called me to the police station and enquired me. I told before the police aforesaid facts. I also told before the police I saw motorcycle bearing Reg.No.KA-19-HF-0096 before the house of Benedict Karlo on 25.01.2021 night. I can identify the said motorcycle. Witness identifies motorcycle in photographs. 4 photographs along with CD together marked as Ex.P14. (A perusal of order sheet, motorcycle has been released to CW.21-Leelavathi on 23.02.2021.)

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

8. Since I had seen motorcycle bearing Reg.No.KA-19-HF-0096 in-front of house of Benedict Karlo, I have identified the motorcycle in photographs. I have stated before the police motorcycle number on 02.02.2021. It is false to suggest that I have not stated motorcycle number before the police on 02.02.2021.

9. It is false to suggest that I have identified motorcycle number in police station after seizure by the police on 03.02.2021. Portion of further statement is read over to witness, he denies the same. Portion of the further statement is marked as Ex.D3.

10. I have no particular working time. Whenever I receive calls, I go to work. The road in front of our house is Kammaje-Benjanapadavu. It is true our house is in interior.

11. On 25.01.2021, I came out of the house at 11-11.30 p.m. and at that time I saw Charan and motorcycle in front of house of Benedict Karlo. I had no acquaintance with him, but I saw his face. I have stated before the police on 02.02.2021 about physical appearance of Charan. I and my brother Praveen both saw Charan on that day. The police called me for identification of Charan. Since so many persons was standing in the police station, I could not identify Charan. Today I identified Charan as he has no beard.

12. I was called to Jail for identification of Charan. I was asked to identify Charan in the Jail. It is true I did not identify Charan in the Jail. I do not remember if I had stated before the TEM in Jail that since the Accused was wearing helmet and did not see his face, I could not identify him. It is false to suggest that today the police have shown Charan, based on that, I identified him.

13. By the time I reached house of Benedict Karlo on 26.01.2021 night, PW.3, PW.4, PW.5, CW.3 and police and others were present. In our village there is no other person called Jeevan Karlo, Auto driver except me.

14. I have not told PW.4-Shamin that on 26.01.2021 at 9.00 a.m., I had seen Benedict Karlo in front yard house of Benedict Karlo.

15. I did not go to Father Muller Hospital, Thumbe on 27.01.2021.

16. I have stated before the police on 26.01.2021, about the fact I had seen a person along with motorcycle in front of house of Benedict Karlo. I have also told this fact to the family members of Benedict Karlo.

17. I have stated before the police on 26.01.2021 about the fact I had dropped the Accused No.1-Elma in my auto rickshaw upto Kammaje. It is false to suggest that I never saw the Accused No.1-Elma either on 24.01.2021 or on 26.01.2021. It is false to suggest that I have not seen Charan on 25.01.2021.

18. It is false to suggest that as per the information given by the police, I have stated motorcycle number before the court. It is false to suggest that since I did not know anything, I have not revealed anything before the family members of deceased.

19. It is false to suggest that since I had seen Benedict

Karlo on 26.01.2021 at 9.00 a.m., in front of her house, I told the said fact to the PW.4 while writing UDR complaint by her.

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

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.