

IN THE COURT OF
THE III ADDITIONAL DISTRICT AND SESSIONS JUDGE
D.K. MANGALURU

SC 76/2023

Name	Kasthuri Wadeyar	PW :12
Husband Name	Ravi Hugar	CW: 18
Age	42 Years	
Occupation	Senior Scientific Officer, Biology Section, RFSL, Mangaluru.	
Residence	Mangaluru.	

Witness present and Duly sworn on 09.09.2025 through V.C

Smt.Veena P., Sr.Scientific Officer, RFSL, Mangaluru, is present as a Coordinator at remote point.

Chief-Examination by Public Prosecutor:

From 2014 to December 2019, I worked as Scientific Officer and from then I am working as Senior Scientific Officer Biology Section, RFSL, Mangaluru. For more than 2,500 cases I have been the scientific expert and has given my opinion and I have deposed before the Court in more than 200 cases.

2. On 12.12.2022, the investigation Officer of Mangalore Bajpe police station in Cr No.143/2022 had sent 14 sealed articles through Iranna PC 381 and the said seal were intact and tallied with the sample seal. There were opened and subjected to examination.

3. Serial no.1 was the one wooden plank- I.O marking 1. Serial no.2 was the one wooden plank- I.O marked as 2. Serial No.3 was the one wooden reaper - I.O marked it as 3. Serial no.4 is the Broken

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branches of sticks - I.O marked it as 4. Serial No.5 was the One tile piece- I.O marked it as 5. Serial No.6 was the Blood stained soil - I.O marked it as 6, Serial No.7 was the Control soil - I.O marked it as 7, Serial No.8 was the One Leggings pant - I.O marked it as 8. Serial No.9 was the One bed sheet - I.O marked it as 9 and Serial No.10 was the One reaper piece - I.O marked it as 10. Serial No.11 was the One night pant- I.O marked it as 11, Serial No.12 was the One shirt- I.O marked it as 13, Serial No.13 was the One Chudidar top- I.O marked it as 14, Serial No.14 was the Two filter papers - I.O marked it as 18.

4. The said articles were subjected to benzidine or Phenolphthalein test and to confirm that they were blood stains, Takayama crystal test was conducted. On examination, blood stains were detected on all the articles except item no.7. Later under serology analysis, they were subjected to gel diffusion method and Electrophoresis method and it was confirmed that article no.1, 2, 6, 8, 11 to 14 are stained with human blood. To know the blood grouping, Absorption Elution method was conducted and reported as B group. The blood stains in Article nos.3 to 5, 9 and 10 were not sufficient for serological examinations.

5. Related to the same, I have given the report dated 31.12.2022 by putting digital signature and which is now identified and marked as **Ex.P12**. The said items were repacked and resealed after examination. The said articles have the department seal and my signature. Now I identify the above said articles. It is already marked as MO-1 to 13. The witness signatures are marked as **MO1(b) to 13(b)**.

Cross-Examination by Sri.K.D.S Advocate for accused

6. I have done my M Sc and M.Phil in Biology.

Question: Have you done Forensic Science Course from the any recognized university or institution?

Ans: After my joining in RFSL, I have been trained to that effect.

7. I have been trained in National Institute of Forensic Science Delhi and by none other institute. It is false to suggest that, I have no special qualification as to forensic science. I have undergone the training as stated. NABL Accreditation was obtained in the year 2022 and the Logo of the same is seen in my report. It is false to suggest that, in the year 2022 no regional FSL was accredited with NABL. M-RFSL is the first to get NABL Accreditation. There are 3 Scientific officers in our section.

Question: Your superior has to give the Assigning letter for assigning the case?

Ans: In the FLMS, through assigning letter, work will be assigned, there will no hard copy.

8. Report does not reflect the FLMS number and the same is not required. I am not aware whether any person from our lab had went to the scene of crime to collect Control soil and blood stains.

Question: Are you aware of the guidelines issued by Directorate of Forensic Science, Ministry of Home affairs, Govt. of India?

Ans; I am aware of the general guidelines issued by the Govt of India as stated above. I work as per BPRND guidelines.

9. As per the guidelines mentioned above, laboratory procedure manual has to be followed by the Central and the State labs. Concluding all the guidelines we have made our own guidelines in the RFSL and I have worked as per the same. It is false to suggest that, Working procedure manual adopted by M-RFSL has no validity and we have to follow the guidelines of Directorate of Forensic Science, Ministry of Home affairs, Govt. of India. Witness volunteers that, our guidelines are accredited by NABL.

10. On 14.12.2022 I got the custody of the articles. In the FLMS note sheet, date and time is reflected, report does not have reflection of said custody. I have not recorded the chain of custody, the same will be done by Asst. Director of our department/section. Police have not given the chain of custody.

Question: It is compulsory to enclose chain of custody report with the RFSL report as per the guidelines of Director of forensic science?

Ans: As per our WPM, it is not necessary.

Question: After obtaining the custody of articles, prior to its opening, after its opening and after packing, have to taken photographs?

Ans: we have taken photographs.

11. Report does not disclose taking of photographs, as it has prescribed format and it has to be submitted as per that. It is true that in Central procedure working format, the photos and chain of custody report have to be enclosed with the report. Witness volunteers that as per their guidelines she has submitted the report

and as per their guidelines they can modify the guidelines. RFSL lab does not have Pathological Lab and Our Lab does not have Lab technicians.

12. On examining the articles, there was no False positive results. Blood stains found here and there shown in page 2 of the report, were not marked on the articles but the said portion was cut for examination. In Item no.5, there was no visible blood stains, hence the column is left blank. From chemical test, I found the presence of the blood stains. Microscopic study is done for serology examination. It is false to suggest that, for detection of blood stain, microscopy is a must. For bigger items microscopy study is not done.

13. It is false to suggest that, when vegetable like Horse radish, potato, sweet potato comes in contact with any item, it gives the result as blood stain. We do the confirmatory test. Serology report is based on Antigen and antibody reaction. RH factor cannot be detected on dried blood stains. It is false to suggest that, if the items get in contact with the moisture, air, dust, bacteria, then we get false positive result. It depends on how the items are preserved and packed. Report does not reflect how the items were preserved, but it will be reflected in the observation report. It is false to suggest that, our testing method is the Inferior method and Kastine-meyar is the suitable method. Witness volunteers that their testing method is NABL accredited method. Luminor test is the destroying method, as it was not requested by the I.O, the same was not done. It is false to suggest that, I have not found blood stains on the articles as stated in my report upon examination of the articles.

Question: If the blood stains are detected by Oxidizing agent, its hemoglobin content is detected?

Ans: Benzidine and Takayama test are done and they are the Oxidizing agent.

14. It is false to suggest that, the above statements are false. It is false to suggest that, I had to conduct the examination as per Directorate of Forensic Science, Ministry of Home affairs, Govt. of India and I have given false report and for the same, I have not enclosed chain of custody report and photographs. It is false to suggest that, the marking on the blood stains of the items were not made as they were not found. Witness volunteers that portion was cut and examined. It is false to suggest that, as there was no pathology lab, I could not ascertain blood group and given the false blood group. Serology method is done for ascertaining blood group. It is false to suggest that, as the report is based on the M-RFSL Manual, it has no legal entity.

Re- examination: NIL

(Typed to my dictation in the open court)

R. O. I. & A. C.

III Addl. District & Sessions Judge,
D.K., Mangaluru.

