

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

Special Case: 113/2023

PW: 9 (CW: 17)

Witness present and Duly Sworn on: 29.04.2026

Deposition of	:	Sanjeeva K
Father/Husband Name	:	Itha
Age	:	55 years
Occupation	:	PSI, Bantwala Traffic P.S.
Resident Of	:	Bantwala.

Examination in Chief by Public Prosecutor :-

1. From 2020 to 2023, I had worked in Bantwala Rural P.S.

2. On 26.10.2022, I took further investigation from CW.14 and verified case papers. I went to spot. PW.4 was present on the spot. I secured CW.6 and PW.5 as panchaas. PW.4 showed spot. PW.4 also showed four wooden clubs. I conducted spot mahazar between 9.00 and 10.30 a.m. and seized four clubs. I now see Mahazar Ex.P19, it bears my signature. Signature of witness is marked as Ex.P19(c). I also prepared sketch. I now see Sketch Ex.P20, it bears my signature. Signature of witness is marked as Ex.P20(c). I

packed and sealed four clubs separately. I took signature of panchaas on the sealed articles and mahazar. I can identify clubs. Witness identifies MO.1 to 4.

3. On the spot itself I recorded statements of CW.4 and PW.4. I returned to police station and included clubs into PF list.

4. On 04.11.2022, I went to Wenlock hospital wherein PW.1 and 2 were admitted, enquired them and recorded their statement. PW.1 and 2 produced their cloths in the hospital. I secured CW.7 and 8 as panchaas. PW.2 produced night dress, PW.1 produced Bermuda. I prepared mahazar between 12.15 and 1.15 noon and seized cloths. I now see Mahazar Ex.P6, it bears my signature. Signature of witness is marked as Ex.P6(c). I can identify cloths. Witness identifies cloths MO.5 and 6.

5. I returned to police station and included cloths into PF list.

6. On 17.11.2022, I sent seized articles to RFSL, Mangaluru.

7. On 28.12.2022, I recorded further statement of PW.2. In the further statement it was revealed Nithesh was also

present at the time of incident and he belongs to upper caste. Based on the further statement, I included provisions of Atrocities Act and made a request to the Jurisdictional Court to include provisions of Atrocities Act. I now see Requisition. The same is marked as Ex.P23.

8. DySP took further investigation from me.

Cross-examination by Sri. KRU for Accused Nos.1 and 2:-

9. House of Ningappa is near to the spot. Since Ningappa was not present at the time of incident, I have not enquired and recorded his statement. House of Ningappa in a distance of 8feet from the spot. The house in which Ningappa staying belongs to PW.2-Gulabi. I have not enquired since how much time Ningappa and his family was residing in the house.

10. It did not come to know Jayanthi was assaulted and admitted in the hospital on 24.10.2022 and discharged from the hospital on 27.10.2022. When I went to spot, the house door was closed, Nagamma opened the door. When I went to spot, I came to know house door key was with Nagamma. I issued notices to panchaas in writing. I have not enquired with respect to total measurement of the property wherein house of PW.2 is situated. It is false to suggest that I did not go

to spot and did not conduct spot mahazar and did not seize four clubs.

11. The distance between house of PW.2 and Wenlock hospital is 30kms. I came to know Nagamma is a coolie in local place. On the date of conducting mahazar, she was in the house and had not been to coolie work.

12. It is false to suggest that PW.1 and 2 did not give statement in Wenlock hospital. It is false to suggest that PW.1 and 2 did not produce their cloths, I did not seize cloths.

13. After discharge I took further statement of PW.2- Gulabi. I have not given notice in writing to PW.2.

14. It did not come to know any animosity between complainant family and accused family prior to the incident. I came to know the incident took place with respect to property. We have not received complaint before the incident regarding property dispute. It is false to suggest that Gulabi did not give further statement before me. It is false to suggest that on the instructions of Higher Officer, I am deposing false.

Cross-examination by Smt. NK for Accused Nos. 3 to 7, 9 and 10:-

Adopts aforesaid cross-examination.

Cross-examination by Sri UKY 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.