

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

**Special Case: 143/2022**

PW: 5      (CW: 4)

Witness present and Duly Sworn on: 27.04.2026

|                            |   |                        |
|----------------------------|---|------------------------|
| <b>Deposition of</b>       | : | Bharath Kumar          |
| <b>Father/Husband Name</b> | : | Sathish Rao            |
| <b>Age</b>                 | : | 39 years               |
| <b>Occupation</b>          | : | Lodge Business.        |
| <b>Resident Of</b>         | : | Kanyadi, Dharmasthala. |

**Examination in Chief by Public Prosecutor :-**

1. I know deceased Dinesh. I know PW.1 and 2, they are mother and wife of Dinesh. PW.4 is my mother. I know the accused Krishna who present before Court, he is having shop next to our lodge. Our lodge name is Vaishnavi Comfort. The lodge stands in my mother name, but, we gave it to me and I am looking after lodge.

2. On the day of incident, at night, I came to know Dinesh was taken to hospital. Dinesh used to tell different stories at different time. He was working with us temporarily. Whenever he wanted money, he used to come and collect money from us.

3. We have installed CC cameras to our lodge. I do not know if CC cameras were in working condition in the year 2022. The incident took place on 22.02.2022. I have seen in news paper about the incident. As per the news paper, a quarrel took place between Dinesh and accused at our complex.

4. After one week of the death of Dinesh, the police came to our lodge. The police have verified CCTV recording. The police have asked lodge license, I provided the same. The police also asked me whether I was present at the time of incident, I told them I was not present. The police asked me and my mother to come to police station. The police took our signatures in the police station. The police have inspected the spot and surrounding place. I have not handed over CCTV recording to the police. I now see mahazar dated 26.02.2022 held between 5.30 and 6.30 p.m, it bears my signature. The same are marked as Ex.P13 and 13(a). Witness states said signature was taken in police station. Two photographs are shown to witness, he admits the said photographs are pertaining to his lodge and he identifies his presence in the photographs (Counsel for Accused objects for marking of photographs as the photographs were not provided to the accused, but, the photographs are along with charge sheet and in the list also it is mentioned about photographs, hence objection is over ruled.) Two photographs are together marked

as Ex.P14. No mahazar was conducted and CCTV recording was not seized in my presence.

***(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:-**

5. It is false to suggest that on 23.02.2022, when I was in lodge, I saw through CCTV that Krishna and Dinesh quarreled each other, Krishna assaulted Dinesh with hands, kicked and pushed on the ground, since it was small issue I did not come out of the lodge.

6. It is true I came to know about death of Dinesh on 25.02.2022, at 2.51 midnight.

7. It is false to suggest that on 26.02.2022, the police came to our lodge, verified CCTV recording in-detail in my presence, in the CCTV recording the incident was recorded between 10.54 and 11.00 a.m, in camera no.7, the IO prepared mahazar in the presence of panchaas, transferred CCTV recording from DVR to three pendrives, handed over one pendrive to me with a direction to bring the said pendrive while giving evidence before the Court and seized and sealed two pendrives, took my signature on the mahazar, accordingly recorded my statement on that day. It is false to suggest that

Ex.P3-Pendrive now shown to me was the very same pendrive among three pendrives for which CCTV recording was transferred. Portion of the statement is read over to witness, he denies the same. Portion of the statement is marked as Ex.P15.

8. I completed M.Sw. It is false to suggest that though I know about the incident details and the IO collected CCTV recording of the incident from our lodge in my presence, now I am deposing false. It is false to suggest that to help the accused I am deposing false.

**Cross-examination by Sri. AKK for BJK Advocate for Accused:-**

9. Ex.P14 photographs were taken in our lodge. I do not know for what purpose Ex.P14 photographs were taken.

**Re-examination: Nil.**

(Computerized to my dictation in the open court)

ROI & AC

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