

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

Special Case: 143/2022

PW: 1 (CW: 1)

Witness present and Duly Sworn on: 27.04.2026

Deposition of	:	Padmavathi
Father/Husband Name	:	Daranappa Nayaka
Age	:	62 years
Occupation	:	Housewife
Resident Of	:	Kanyadi, Dharmasthala.

Examination in Chief by Public Prosecutor :-

1. CW.2 is my daughter-in-law. I know CW.3-Suhas, CW.4-Bharath Kumar, CW.5-Ravija S. Rao, CW.6-Sunil Kumar, CW.7-Ananda, CW.8-Harish, CW.9-Rajnees and CW.10-Suresh Shetty. Deceased Dinesh was my son. I know Accused Kitta @ Krishna.

2. I have a petty shop near my house. My husband died 11 years ago. We belong to Marati Nayaka which comes under Scheduled Tribe. The accused belongs to Bhant community. The accused knows we belong to Scheduled Tribe.

3. On 25th February, four years ago my son died. One

and half day prior to his death, in the afternoon CW.2 told me over phone that Kitta assaulted her husband Dinesh (deceased) and Dinesh was sleeping in the house. I went to house of Dinesh and CW.2. I enquired with Dinesh. Dinesh told me Kitta assaulted him in front of Vaishnavi lodge and dragged for some distance. I went to shop of Kitta and enquired him why he had assaulted my son, in-turn he told he did not assault my son, he also told there was enmity between him and Vaishnavi lodge, hence they spread bad news towards him. I returned to house. At 8.00 p.m, CW.2 and Harish CW.8 took my son to a clinic nearby Vaishnavi lodge, after taking treatment in Clinic, they returned back.

4. On the next day morning, my son complained of severe stomach pain and stomach pain did not stop, hence CW.2 took my son to Ashwini Clinic, Ujire, the doctor in Ashwini clinic asked to take my son to Higher Hospital, hence my son was taken to SDM Hospital, Ujire. The doctors in SDM Hospital advised to take my son to Mangaluru hospital. On the advise given by his brother, Kitta came to SDM Hospital, he and Harish Poonja took my son to Wenlock Hospital instead of Deralakatte Hospital and admitted there. Kitta managed not to enter any of our family members inside the hospital. My son died at 2.00 midnight. After death of my son, Kitta left the hospital. On the next day morning at 8.00 a.m, I went to Dharmasthala police station to lodge complaint, brother of

Kitta did not permit me to lodge complaint, but the police took my complaint at 12.00 noon. I now see Complaint, it bears my signature. The same are marked as Ex.P1 and 1(a).

4. On the next day of lodging complaint, I went to Vaishnavi lodge belongs to CW.4-Bharath Kumar and I saw the incident in CCTV recording of lodge. I can identify CCTV recording if same is shown to me. Two FSL sealed covers are produced, the same are permitted to be opened. On opening of covers one cover contains CD and another cover is pertaining to sample seal. One CD is marked as Ex.P2. Ex.P2-CD is played, it contains test report of FSL and photographs.

5. Another sealed cover with IO seal is produced, the same is permitted to be opened. On opening, it contains Cruzure blade 4GB pendrive. The same is marked as Ex.P3. Ex.P3-Pendrive is played, it contains 5 files, all the files are not opened.

6. My son died on account of assault made by the accused Kitta.

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

Accused files application on the ground counsel on record is not keeping well and seeks time. Application is not supported

with any medical records, hence no ground is made out, cross-examination is taken as nil.

Re-examination: Nil.

(Computerized to my dictation in the open court)

ROI & AC

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