

**IN THE COURT OF THE V ADDL. DISTRICT AND SESSIONS
JUDGE, D.K. MANGALURU, SITTING AT PUTTUR, D.K.**

Spl.C. No.5020/2021

PW-1 CW-1

Name of the witness : Poojya K
Father's name : Jayakumar
Age : 24 years
Occupation : Teacher
Residence : Subramanya, Kadaba Taluk.

Duly sworn on 19-08-2026.

Examination-in-Chief by the Public Prosecutor:

CW-2 is my mother. CW-3 is my cousin brother, CW-4 is my younger brother. I know the accused who is present before the court. Accused is from my village. I belongs SC Muger community. Accused belongs to Gowda community. Accused knows that I belong to SC community. There is no galata between myself and Accused. Accused has not trespassed court yard of our house. The accused has not abused my caste. When I had been to the police station, police have taken my signature on some documents. Witness identifies her signature on the complaint. Complaint is marked as Ex.P1 and signature of witness is marked as Ex.P1(a) . Witness identifies her signature on the Mahazar. Mahazar is marked as Ex.P.2. Signatures of witness on Ex.P 2 is marked as Ex.P2(a). Police have not enquired me and I have not given any further statement to them. Police have

taken before me to the Judicial Magistrate. I do not remember the statement given before the Judicial Magistrate. Witness identifies her two signatures on statement recorded u/sec.164 of Cr.P.C. The statement is marked as Ex.C1 for identification purpose. The signatures of witness are marked Ex.C1(a) & (b).

(At the stage, the L.P.P seeks permission of the court to treat this witness as hostile. Permission is granted to cross examine the witness.)

Cross Examination by Learned Public Prosecutor:

2. It is false suggest that on 15.11.2020, at about 8.30 am, when I was at my home situated at Devarugadde, accused has trespassed the court yard of our house. It is false to suggest that, the accused has informed me by stating that CW-5 has left his mobile phone in our auto. It is false to suggest that, when came to steps of my house, the accused informed me that he will give the mobile phone inside my house, I stood at the steps. It is false to suggest that, at that time, accused has asked for Betel Leave. It is false to suggest that, I have informed the accused that we are not having betel leave. It is false to suggest that, at that time, the accused has applied his hand on my chest and outraged modesty. It is false to suggest that, at that time, I got screamed and meanwhile, the accused has thrown the mobile phone and left the spot.

3. It is false to suggest that, when CW-2 came the house, I have informed the incident to CW-2. It is false to suggest that, when CW-2 has enquired accused on the same, the accused has admitted his guilty and threaten CW-2 and me that if we file a complaint, he will not let us alive. It is false to suggest that, I have given a complaint as per Ex.P1.

4. It is false to suggest that, on 14-12-2020, I have shown the spot to the police. It is false to suggest that, the police have conducted spot mahazar in the presence of CW-9 and 10 from 11.30 a.m. to 12.30 p.m. It is false to suggest that, I have affixed my signature on Ex.P2 mahazar after read over the contents to me.

5. On 19-01-2021, I have given statement before the Magistrate as per Ex.C1. Witness volunteers that she has given statement as per instruction of the police and she do not remember the statement at present.

6. It is false to suggest that, on 14-12-2020 and 14-03-2021 police have enquired me and I have given further statements. The statements are marked Ex.P3 and 4. It is false to suggest that, , though I have given complaint as per Ex.P1, shown the spot as per Ex.P2 Mahazar, given statement as per Ex.C1 and given further statements as per Ex.P3 and Ex.P4, as accused is from my village, I am deposing falsely before the court in order to help the accused.

Cross Examination by Sri. B.N.P., for accused :

The counsel for accused submits that he has no cross examination.

Re-Examination: Nil.

(Typed to my dictation in open Court as per the deposition of witness.)

R.O. I. & A.C.

V Addl. District & Sessions Judge,
D.K. Mangaluru sitting at Puttur, D.K.

