

IV ADDL. DISTRICT AND SESSIONS JUDGE HASSAN (SIT AT
CHANNARAYAPATNA)
Sessions Case: 171/2022

PW: 1 (CW: 1)

Witness present and Duly Sworn on: 19.12.2022.

Deposition of : Sulochana
Father/Husband Name : Thimmaiah
Age : 47 years
Occupation : Working in School
Resident of : Gyarahalli

Examination in Chief by Public prosecutor :-

1) Deceased Chaithra was my daughter. CW2 is my senior uncle's daughter in law. CW3 to 7, 11 are from my village. CW8 to 10 are workers in a Mahila Samaja. CW12 is my relative. CW14 is my mother. CW15 is my cousin sister. CW17 is my daughter. CW18 is my son in law. CW19 is my relative. CW20 is my cousin brother. CW21 is my relative. I know CW13 and 16. I know CW22, 24 and 25. Accused No.1 is husband of my daughter Chaithra. A2 and 3 are parents of Accused No.1.

2) I am the sole daughter of first wife of my father. My

mother name is Sharadamma CW14. My father (Accused No.2) contracted 2nd wife with one Jayamma who is accused No.3. There are six children born to my father Dyavaiah and 2nd wife Jayamma, they are Latha, Shobha, Sunanda, Sudha, Varalakshmi and Rangaswamy.

3) I have got two children namely Chaithra and Rachana. Chaithra is deceased. My marriage was solemnized may be in the year 1992-93. My husband is no more.

4) Since 10 years, I have been residing in Bangalore along with my daughters. After completing SSLC, my daughter Chaithra started to work. We used to Gyarahalli village in functions and other occasions. Similarly Accused persons also used to visit our house. Hence my daughter and accused No.1 came close acquaintance. My daughter and A1 started to love each other. Later on I came to know about the love affair between my daughter and A1.

5) In Feb may be in the year 2020, my daughter without giving information to me came along with A1 to Gyarahalli

village. The accused persons kept my daughter for about 20 days without performing the marriage between my daughter and A1. At that time A1 to 3 alone in the house. My daughter stayed with them during that period. After 20 days, I came to Gyarahalli village to make an enquiry with accused persons. I requested accused 2 and 3 to perform marriage of my daughter and A1. The accused 2 and 3 did not agree for the same as my daughter did not bring any dowry from the house. The A2 and 3 further told me that to grab the property I sent my daughter to their house. When A2 and 3 did not agree for performing marriage, I went to Bangalore and gave information to Mahila Samaja of Shivajyothi Nagara.

6) On the next day, I again came to Gyarahalli village along with CW8 to 10 an office bearers of aforesaid Mahila Samaja. I also took an assistance of villagers namely Ravish, Ramakrishna, Devegowda, Kalegowda and Rajanna (CW3 to 7). A panchayath was held in front of house of Devegowda. From the side of accused, all the sisters and their respective husbands of A1 were present. In the said intersession, the sisters and their respective husbands of A1 did not agree to

perform marriage of Chaithra and A1 without giving any dowry. The Accused persons and daughters and their husbands of A1 demanded a dowry of Rs.5 lakhs cash and 50 gm gold ornaments. I agreed for cash of Rs.3 lakhs and 27 gm gold. Hence intersession was ended with an understanding to perform the marriage in Kabbali temple.

7) In the same month, a marriage was performed in Kabbali temple. I paid cash of Rs.3 lakhs and 27 gm gold ornaments in Kabbali temple. I paid cash to A1 to 3. Among 27 gm gold, one ring weighing 5 gms to Accused No.1, three set of ear bangles, one ring in all weighing 22 gms to my daughter.

8)After marriage, my daughter went to Gyarahalli village along with accused No.1. In the house of A1, my daughter A1 to 3 were staying. For about 3 months, my daughter was very cordial with A1 to 3. After 3 months, A1 to 3 started to quarrel with my daughter stating that my daughter had not brought sufficient dowry from her parents house. At that time I was in Bangalore. My daughter used to inform me about the ill-treatment given by A1 to 3 over phone. This was continued for

about 2 months. By that time my daughter became pregnant. The accused persons were not providing food to my daughter.

9) CW4 Devegowda called me over phone and told the accused persons were not looking after my daughter and accused persons were not providing food to my daughter, he also requested me to take my daughter to my house and after delivery of baby, some intersession can be held. I came along with CW8 to Gyarahalli village, after requesting A1, I took my daughter to Bengaluru. When my daughter was 7 month pregnant, she delivered to a female baby. We gave information to accused about delivery of baby. Accused 1 to 3 did not come to see child and my daughter. I performed post delivery formalities for a period of 11 months in my house. My daughter insisted me to take her and child to the house of Accused.

10) I, my daughter and child went to Gyarahalli village. A2 and 3 did not permit us to enter inside the house and closed the main door of the house by stating that no dowry was brought. I again called head of the villagers viz, Devegowda,

Ravish, Rajanna, Kalegowda and Ramakrishna. They held intersession in front of house of A1 to 3, after advise given by them the accused persons permitted us to enter inside the house. On that day I was with my daughter, on the next day I returned to Bengaluru.

11) Even thereafter, the accused persons continued their harassment and ill-treatment to my daughter with a demand of dowry. One day without tolerating the harassment, my daughter about to go to Police Station to lodge complaint, one Kiran CW13 friend of A1 came and stopped my daughter not to lodge complaint and he would set right the issue. My daughter had told this fact to me.

12) Thereafter again one day, A1 assaulted my daughter. Again my daughter went to Police Station to lodge complaint along with child. My daughter told this fact also to me over phone. Again the head of the villagers went to Police Station, brought my daughter with an assurance that they would discuss the issue with Accused persons and set right the same. Still the accused persons continued their harassment towards my

daughter. My daughter also told the sisters of A1 used to visit the house and abusing my daughter and also giving some bad impression over my daughter to A1.

13) My daughter used to call me and inform the accused persons were not providing food to her, milk to child and requested me to take her to my house. One day I came to Channarayapatna to take my daughter. I met my daughter in Channarayapatna town, I took my daughter to hospital and gave treatment to my daughter as she suffered swelling injury to her right forearm. At that time my daughter told accused persons were ill-treating my daughter continuously and not providing food also. Though I called my daughter with a request to my daughter to go to Police Station for lodging complaint, my daughter refused to lodge complaint. Then I took child to Bangalore and my daughter went to Gyarahalli village.

14) When the ill-treatment of accused persons was persistent, once again my daughter went to Police Station and lodged complaint against accused 1 to 3. The police called accused persons and advised to take care of my daughter

without giving harassment to my daughter.

15) On 01.01.2022, my daughter called me over phone and told accused persons assaulting and ill-treating her with a demand of dowry and asked me to come and take her to my house. My daughter also told she would come to Bangalore to see the child, in turn I told I would come to Gyarahalli and request accused 1 to 3 not to give harassment.

16) On 03.01.2022, in the early morning at 6 am, my daughter called me and informed accused persons had assaulted her entire night with a demand of dowry. I told my daughter to go to farm land for agriculture work and I went to my work. At 8.30 am again I called my daughter over phone, she spoke to me. She repeated very same version and I too heard quarrel in the house. At 8.45 am, I again called my daughter to know what was the situation there, my daughter did not pick up the call. At 10.10 am, CW2 Pushpa called me and told my daughter died by hanging.

17) Immediately I, my neighbors came to Gyarahalli

village at 12.30 noon. The dead body was hanging with white mix with blue colour saree to a wooden log (Theeru) adjacent to room door near Pooja room. The knot was not exactly over neck. The knot was on the top of the head. My son in law was not in the house. A2 and 3 were very much present in the house.

18) I went to Police Station and lodged complaint before police. I now see the complaint and it bears my signature. The same are marked as ExP1 and P1(a).

19) After lodging complaint, the police came to spot. The police released dead body in the presence of CW11 and 22. The police before released dead body preparing mahazar and releasing dead body. After releasing dead body, the police took my signature on the release mahazar. I now see the said mahazar and it bears my signature. The same are marked as ExP2 and P2(a).

20) The dead body was shifted to initially govt. hospital Channarayapatna, then to HIMS Hassan. On the next day after

completion of other formalities, the police handed over dead body to me at 4 pm. By taking signature on receipt from me. I now see the said receipt and it bears my signature. The same are marked as ExP3 and P3(a). The dead body was buried in Gyarahalli village.

21) On 05.01.2022, the police came to spot for conducting Spot panchanama. I was very much present on the spot. I showed the spot. The police conducted spot mahazar with the help of Parameshwaraiah and Jayalakshmamma between 9.30 and 10.30 am. The contents of panchanama were read over to us, I signed on the panchanama. I now see Spot panchanama and it bears my signature. The same are marked as ExP4 and P4(a). The police also took photographs. I now see one photograph, the same is marked as ExP5.

22) On 13.01.2022, again the police came to Gyarahalli village. I was in Gyarahalli village at that time. I handed over marriage invitation and marriage photographs to the police. The police secured CW4 and 25 and prepared Seizure mahazar between 12.30 and 1.30 and seized marriage invitation and

marriage photos under the said mahazar. I now see mahazar and it bears my signature. The same are marked as ExP6 and P6(a). While doing said mahazar, the police also took photographs. I now see said photographs. The same is marked as ExP7. I now see marriage invitation, the same is marked as ExP8. I now see two marriage photographs. The same are collectively marked as ExP9.

23) I can identify signature of my daughter if shown to me. The witness has identified her daughter's signature on attested copy of complaint lodged by Chaithra on 06.09.2021 and on NCR No.336/2021. The complaint and NCR are collectively marked as ExP10.

24) Two photographs which were taken while conducting inquest are shown to witness, she identifies her daughter in photographs. Two photographs are collectively marked as ExP11.

25) I can identify the saree on which the dead body of my daughter hanging to a wooden log. One sealed cloth packet is

produced before the court the same is permitted to be opened. On opening of the packet, witness identifies saree. One white with black design saree is marked as MO.1.

26) I can tell mobile number of my daughter and my mobile number. My daughter was using mobile No.8088744542. My mobile Number is 7760899796.

27) My daughter committed suicide on account of harassment and ill-treatment with a demand of dowry by accused.

Further chief is deferred at request.

(Typed to my dictation in the open court)

ROI & AC

IV Addl District and Sessions Judge
Channarayapatna