

IV ADDL. DISTRICT AND SESSIONS JUDGE HASSAN
(SIT AT CHANNARAYAPATNA)
Sessions Case: 28/2026

PW: 2 (CW: 2)

Witness present and duly sworn on : 06.08.2026

Deposition of : Rahul K.P
Father/husband name : Prakash K.R
Age : 24 years
Occupation : Agriculture
Resident of : Kotthanaghatta Village

Examination in chief by Public Prosecutor:

1) I know Accused No.1-Udayakumar, he is from our village. I do not know Accused No.2-Arun D.M. I came to know about him after the incident. CW1 is my mother. CW3-Sachin @ Appu is my neighbour. CW4-Sunil and CW6-Puttaraju are from our village. CW5-Sharath and CW7-Santhosh, CW9-Vinod are my relatives. CW8-Manjunath is my senior uncle. I know CW10-Sumanth. I do not know CW11-Yogesha.

2) Rakesh is my younger brother, he is working as driver at Bengaluru. I am an agriculturist.

3) On 29.08.2025, at Kottanaghatta village Orchestra was arranged on account of set up of Ganesha idol. Myself and CW1 have gone to the spot to see Orchestra. I was supervising the Orchestra. At 10 to 10.30 pm, A1 has demanded me to play song of his choice. I have refused to play the song. He started scuffle with me. Accused No.1 abused me with words, 'ಸೂಳೆ ಮಗನೆ, ಬೋಳಿಮಗನೆ ' and also made galata for not issuing T-shirt and threatened me with dire consequences. The police and CW5 and 6 have pacified the quarrel and advised me and A1. Thereafter my mother left the spot along with CW3 on the bike. It was informed to her that I will come home after some time.

4) Around 12.00 pm during night I was proceeding on his bike towards my house, when I reached the land of Ashok S/o Ramegowda, A1 and 2 came there on their scooty and obstructed me to proceed further and picked up quarrel in connection with the previous incident occurred at Orchestra. A1 has assaulted me over left ear, left shoulder and head with club with an intention to kill me and caused bleeding injuries. I have screamed and fell down on the ground.

5) Accused No.2 took the same club and assaulted me on the left shoulder with an intention to kill me and caused hurt. On hearing my screams, my mother and CW3-Sachin came to the spot. After seeing them, the accused persons threatened me with dire consequence of life and sped away from the spot by throwing the club on the ground.

6) My mother and CW3 has enquired me. I have shared the incident of assault by the accused persons. I was shifted to Shravanabelagola government hospital. I was taken treatment as outpatient and then visited Punya hospital for higher treatment.

7) On 04.09.2025, police have taken my statement. On the same day, police have taken my blood stained cloths at about 12.00 noon. CW8 and 9 were present at that time. Police have seized my blood stained cloths worn at the time of incident and kept in a white cloth bag under seal through mahazar. Police have also taken photograph and videograph of the Seizure mahazar procedure.

8) Now I see the mahazar drawn by the police at the time of seizure of my cloths. It is marked as **ExP4**. The

signature of witness is marked as **ExP4(a)**. Now I see the photograph taken at the time of mahazar and it is marked as **ExP5**. I can identify the club used by the accused persons to assault me and cloths worn by me at the time of incident. Witness identified the club and T-shirt present before the court. They are already marked as MO.1 and MO.2 respectively.

9) I can identify the spot in which accused persons assaulted him. Witness identified the photograph of the crime spot, which is already marked as ExP2.

10) I can identify the scooty used by the accused persons to reach the crime spot. I do not remember the registration number of the scooty. Witness identified the photograph of the scooty. It is already marked as ExP3. I can say my bike number KA-54-Q-6104.

11) I can identify the persons who have made galata Ganapathi pendal and assaulted me with club. Witness identified the accused persons present before the court.

(at this stage, on the request of Public Prosecutor this witness has been treated as partly hostile and permission is accorded for cross examination)

Cross-examination by Public Prosecutor:

13) It is true to suggest that I have given statement before the police on 04.09.2025 stating that A2 has insulted me by usage of abusive words like, 'ಬೋಳಿಮಗನೆ, ಸೊಳಿ ಮಗನೆ' by saying that ಗಣಪತಿ ಕಾರ್ಯಕ್ರಮ ನಿವೃತ್ತನದಾ '.

14) It is true to suggest that I have stated in my statement that A2 has assaulted me with club on left year and all over the body.

15) It is true to suggest that I have mentioned in my statement given before the police that accused persons came to the crime spot on the scooty bearing registration No.KA-13-EM-5563.

Cross-examination by Sri. KNS Advocate for the accused Nos.1 and 2:

16) It is true to suggest that myself and A1 are from the same village. It is true to suggest that both of us go to the

work together. It is true to suggest that I was working under accused No.1 in tender coconut business, witness further states that I have attended the work for two days. It is false to suggest that in connection with the business, there was dispute between myself and A1. Except the incident taken place at Ganapathi pendal, there was no such animosity or hatredness between myself and A1 to kill me.

17) It is true to suggest that there is no accused persons, enmity or hatredness between me and A2. It is true to suggest that I was not owner of the orchestra, witness further states that I was participated in the orchestra team. I do not know the address and details of orchestra team. It is true to suggest that the orchestra team was Jyothi Melodies, Bhadravathi. It is true to suggest that I was not a worker / employee or Jyothi Melodies.

18) On the date of incident, the orchestra team was playing the songs and also singing the songs. It is true to suggest that the singers were singing the songs on the request of the audience. It is false to suggest that I have given false statement that in the Ganapathi pendal songs were played through instrument.

19) On the date of incident, more than 500 members gathered to watch orchestra. I cannot say the names of the persons gathered at orchestra. CW5-Sharath and CW6-Puttaraju were present when the accused persons abused me with filthy words. The first incident of scuffle and abuse taken place near Post Office. There were 6 singers in the orchestra team. Four policemen were doing bandobasth duty. I have informed the police about the galata, witness further states that I have not informed the place of incident of first incident.

20) It is false to suggest that I am an habitual drunker. It is false to suggest that about one year back, I have hit my Motorbike to the Tractor belongs to one Anil Kumar and suffered fractures, witness further states that Tractor hit my Motorbike. It is false to suggest that on the date of said incident I was riding my Motorbike under the influence of alcohol. It is true to suggest that I have taken treatment at Punya hospital, Channarayapatna for fractures. It is true to suggest that I have taken treatment at SSM hospital, Hassan for Liver issue. It is false to suggest that accident case was not registered. An accident case was registered against one Kumaraswamy. It is false to suggest that in the Punya

hospital document, it is mentioned that on the date of accident, I had consumed alcohol.

21) The distance between the Ganapathi pendal in which orchestra was arranged and the place of assault by the accused persons is around 800 meters. The distance between the place of incident of assault and my house is 1 km or 1100 meters. (A photograph depicting house is confronted to the witness). The witness admits that the house belongs to him. The photograph is marked as **ExD1** subject to proof. The distance between my house and orchestra place is about 1100 meters. My house is a farm house situated at Majjanahalli. It is true to suggest that the place of orchestra is Kotthanaghatta. The distance between the place of orchestra and the bus stand of Kotthanaghatta is about 450 meters. The distance between Kotthanaghatta bus stand to my farm house is about 700 meters. It is true to suggest that the road from Kotthanaghatta bus stand to my farm house has two curves.

22) It is true to suggest that place of alleged incident of assault had no light facility. (At this juncture, photograph of one pathway is confronted to the witness), witness admits that road visible in the photograph confronted to him and the

ExP2 is the same road. Since the witness admits the photograph of pathway, it is marked as **ExD2** subject to proof. It is false to suggest that any incident or sound taken place at the place of alleged assault is not audible to my house. It is true to suggest that the any incident taken place at the place of alleged assault is not visible from my house.

23) The duration of the second incident of alleged assault is about 10 minutes, it commences at 12.00 hours and finished at 12.10 am. The time taken to reach the place of second incident from my house is about one minute.

24) It is false to suggest that CW3-Sachin is son of my senior uncle. It is false to suggest that CW3 is my relative. CW8-Manjunath is my senior uncle. It is false to suggest that CW8 was Ex-Gramapanchayathi Member. It is false to suggest that there are no neighbouring houses beside my farm house. It is true to suggest that no neighbouring houses are visible in the ExD1-photograph, witness further states that the photograph has not covered the neighbouring house and they are present. The distance between our farm house and the house of CW3 is about 80 meters. It is false to suggest that CW3-Sachin's house is not situated within

distance of 80 meters from my house. I have not called my mother or Sachin over the phone at the time of alleged second incident.

25) None of the villagers have witnessed accused persons following me from the place of orchestra. None of the villagers have witnessed the alleged acts of wrongful restraint and assault by the accused persons. None of the persons gathered at the place of orchestra have seen the accused persons following me from that place. It is false to suggest that at the time of orchestra, I was dancing along with others and it was videographed. It is false to suggest that I had consumed alcohol at that time.

26) I do not remember the time of visit of A1 to the orchestra. I have not abused A1 with filthy words. I have neither pulled nor assaulted A1. The T-shirt which I was wearing at the time of incident was given by the village elders. CW5-Sharath has given said T-shirt to me. CW5 is my friend. It is true to suggest that one Pruthwi has distributed T-shirts to all the persons. It is false to suggest that I have made galata with Pruthwi to sponsor T-shirt to

A1. It is true to suggest that A1 has asked me regarding my problem for sponsoring T-shirt to him by Pruthwi.

(Further cross-examination is deferred for want of time).

(Computerized to my dictation in the open court)

ROI & AC

IV Addl. District and Sessions Judge
Hassan (Sit at Channarayapatna)