

IN THE COURT OF THE II ADDL.DISTRICT & SESSIONS JUDGE,
KODAGU-MADIKERI (SITTING AT VIRAJPET)

S.C.5014/2024

PW:6

CW:6

Duly sworn on 22.08.2025

Name of the witness	C K Somaiah
Father Name	Late Karumbaih
Age	65 years
Occupation	Agriculturist
Residence & Mobile Number	Nangala Village

Examination-in-chief by Public Prosecutor:

1. I know deceased Chittiyappa. PW.1 is the elder son of Chittiyappa. The accused is the last son of Chittiyappa. I know CW.5 C M Kaverappa is from my village. The house of Chittiyappa is in Nangala Village. The house of Chittiyappa is appearing in Ex.P.3 photo. The deceased was staying with the accused, PW.1 and his wife/PW.2.
2. The accused was not doing any work, he was not married. He was addicted to drinking. The accused demanding money from his father. The Chittiyappa father of accused

more than 68 years. His vision was diminished, he was wearing glass.

3. In our village we have established senior citizen society.

On 18.10.2023 in order to register senior citizen society, we were visiting the houses of senior citizen to collect the aadhar card and voter identity card. Myself and CW.5 were visiting the houses. On 18.10.2023 first we have started to visit house of Kuppanda at 2.00 PM. Around 6.00-6.30 PM we visited near the house of Chittiyappa, there house was closed. We had heard the screaming sound from inside the house. We went inside the sit out as appearing in Ex.P.3. The sit out appearing in Ex.P.3 is marked as **Ex.P.3(a)**. The entrance of said sit out area is has no door.

4. We heard the shouting of accused demanding property share from his father, we had seen through window from

sit out the accused was beating with MO.2 now shown to me to Chittiyappa. Myself and CW.5 asked the accused not to beat Chittiyappa and open the door. He threatened us if you come inside I will beat you, due to fear we left the place.

5. Thereafter, we went to CW.5 house. At about 7.30 PM in the evening C S Thammaiah came to the house of CW.5. We have narrated the incident to Thammaiah. Thammaiah advised us to go there and advise the accused, again we went to the house of Chittiyappa at 8.00 PM. We noticed Car was parked in front yard of house. PW.1, along with CW.2 and 3 shifting the Chittiyappa to the Car, when I asked him, PW.1 told me that the accused has beaten the father and shifting him to hospital.
6. At 9.30 PM, PW.1 informed over phone, stating that the Chittiyappa is died. I had given statement to Police on 20.10.2023. We have seen the incident through window

appearing in the photo shown to me. Photo is marked as **Ex.P.10, 10(a)** is window.

Cross Examination: Sri.PCK standing counsel for accused

7. One year after the incident we have registered the senior citizen sangha. The documents pertain to sangha was not given to IO. On the date of alleged incident Chittiyappa not the member of society, but we were going there to collect documents to admit him as a member of society.
8. My house is situated at a distance of 400 mts from Chittiyappa's house. On 18.10.2023 at 6.30 PM there was little dark. We did not made attempt to record the accused shouting and beating his father in mobile. PW.1 and 2 were not there in the house they had been to some relative house. We did not inform PW.1 that the accused is beating his father.
9. In February 2023, the accused caused injuries to his father, for which the complaint was filed and we had

conveyed Panchayath and compromised. The complaint was registered in Virajpet Rural PS. I am not signatory to any of the document regarding compromise between accused and his father. I cannot state exact date of compromise of earlier incident.

10. There are two windows in the sit out facing main house. Both windows were open when we enter sit out. Electricity was there, light was on. Chittiyappa was sitting in a sofa in hall which is situated adjacent to sit out by the side of window. We did not talk to Chittiyappa, the accused did not allow us to enter the house as he was threatened us with stick. When we had seen the incident we did not observe any blood of Chittiyappa. Now I see the Ex.P.5 photo in which Chittiyappa was sitting. It is not true that myself and CW.5 did not visit to the house of Chittiyappa, we did not see the incident of beating and shouting by the accused. It is not true that we did not

entered inside the sit out and did not witnessed through window. It is not true that accused did not threatened us. Myself and PW.1 are in cordial. There was no partition of properties between PW.1 and accused. It is not true that on say of PW.1 I am deposing falsely against the accused. It is not true that I have given any statement to the Police.

Re- Examination: Nil.

(Typed to my dictation in the open court)

ROI & AC

Sd/-

II Addl.District & Sessions Judge,
Kodagu-Madikeri(Sitting at Virajpet)