

**Witness recalled as per the orders on 311 Cr.P.C application dated 19.03.2025 and duly sworn on 21.08.2025.**

**Further Cross Examination: Sri.PMC Advocate for accused**

1. I have worked 2 years in the estate of Alemada Somanna, where as Shankara and deceased had worked about 3 to 4 years. Myself and deceased are good estate workers. It is true PW.3 engaged myself and deceased to work in there estate as we are good workers. PW.3 was coordinating and helping us since we were working good work.
2. 2 years prior to incident deceased has left Shankar and stayed with me. Deceased and Shankar had two children by name Ganesh and Subramani aged about 12 and 8 years respectively. It is true when I was working in the estate of Alemada Sonamma, I had fallen in love with deceased, as I could not continue there and left the estate of Somanna and came to PW.3 estate. The two children of deceased were stayed with her husband Shankar.

3. It is true that the Shankar had developed grudge against deceased as she had stayed with me.

**Que:** Can you say in which hand the accused was holding sword (ಕೊಕ್ಕೆ ಕತ್ತಿ)?

**Ans:** In both hands the accused was holding two ಕೊಕ್ಕೆ ಕತ್ತಿ.

4. In my complaint I have stated that the accused was holding two ಕೊಕ್ಕೆ ಕತ್ತಿ in his hands. Two ಕೊಕ್ಕೆ ಕತ್ತಿ were seized in my presence. At the time of seizer I have not put signature. 10 minutes there was a conversation. Till that movement myself and accused relationship was not in cordial. Myself and accused made conversation at a distance of 5 feet. Deceased was at a distance of 15 feet from me and at a distance of 5 feet from accused. About 10 minutes i.e. 8.00 - 8.15 PM electricity was not there. When accused was in conversation with me there was electricity.

5. It is not true that when accused was in conversation with me, deceased came with torch. The torch was in my hand, it is my torch. I had brought torch inside the house and it was in my hand. It was brought from inside the house at 10.15 PM. At the time of conversation with accused and when I entered the house there was electricity. As per the questions asked by the police I have stated about the number of lights existing in my house.
  
6. To my house there is only one door. About 2-3 minutes I had taken time to go inside and come back. By breaking the glass of bathroom window I came out. Glass was broken in to pieces. In my presence, the police have not seized broken glass pieces. The bathroom wall hight from inside 3 feet and from outside 6 feet hight. The width of the bathroom window is 1 ½ feet and hight is 1 ½ feet. While breaking glass I did not sustain any injury.

7. When I came out from bathroom window, the torch was by the side of deceased.

**Que:** What is the reason for you to came out from bathroom window?

**Ans:** I went inside the house and locked the door, the accused try to open the door with ಕೊಕ್ಕು ಕತ್ತಿ, if he comes inside the house he may kill me with that fear I came out from the bathroom window.

**Que:** Did you made effort to protect deceased from attack?

**Ans:** If I go for protection the accused may attacked me, I did not go for her protection.

8. The accused has shouted about half an hour.

**Que:** Whether the owner had come to spot on hearing shouting of accused?

**Ans:** Owner on hearing shouting came to the spot and advised the accused not to shout has he has drunk.

9. In my house myself, my father and deceased, adjacent lane house Srinivas, Santha and their son were resided.

**Que:** You cannot say who will come near the lane house or go?

**Ans:** Nobody will come near the lane house.

10. My father sometime stayed with my sister and sometime with me. It is not true that generally labours will go to bed early. My father used to sleep in one room where I was sleeping.

11. Deceased try to come inside the house, by that time the accused with ಕೊಕ್ಕೆ ಕತ್ತಿ inflicted her. When I came out from window, the accused on back side near bush by holding ಕೊಕ್ಕೆ ಕತ್ತಿ he was having drinks. At that time my father was sitting in front of house on jagali (bench).

**Que:** When you had been to PW.3 house where was the accused at that time?

**Ans:** When I had been to owner's house accused came there, Poovanna, the owner wife were there, because of them I was save from attack.

12. During the incident I had sustained injury to left hand, left leg knee. I had sustained said injury while accused chased me with ಕೊಕ್ಕೆ ಕತ್ತಿ at that time I fell on road. I did not tell before the Police as they did not ask

me. On that day I was in the station. Next day morning my statement was taken I could not tell all the facts due to panic. When I had been to owners house, my father was sat near the dead body. When I came out from the window the deceased did not talk to me. She was not in a position to speak. She did not even speak with accused. The door has only one door. I had closed main door and also bathroom door.

**Que:** Can you say after closing main door of the house and thereafter bathroom door in between what has happened the outside the house?

**Ans:** When I entered inside the house the accused slashed the deceased and chased me.

**Que:** Did you tell before the Police the company of the torch and its measurement?

**Ans:** During incident I was not able to see all things.

13. I have not stated whether torch is the batter run or chargeable battery. In my presence, Police have checked

MO.3 whether it is operating or not. Police have also taken photo of MO.3 while checking whether it is operating or not. It is not true that I have signed the mahazar at Ex.P.2 in the Police station. I have not given description of cloths of accused to the Police. Police have not asked me about the cloths of accused.

**Que:** Did you specifically stated before the Police the marks on door allegedly caused by the accused with  $\text{ਝੜੀ}$ ?

**Ans:** Specifically not stated, but stated the marks on door.

14. It is true that deceased had came with me depriving the love and affection of children and husband Shankar, as such Shankar had developed animosity against me. It is not true that the Shankar has killed the deceased, to avoid case against me and Shankar, I have filed false case against the accused. Shankar had habit of drinks. I did not tell description of MO.4 and 5 with its measurements. The blood stains are not visible since it is rusted. It is not true

that at the time of alleged incident and when I entered inside the house there was no electricity, nobody was come there. It is not true that after coming out of the house there was no electricity, I could not see anything. It is not true that when I had visited the PW.3 house there was no electricity. It is not true that as there was no electricity I could not see any person or material. It is not true that the accused was not standing near the bush. It is not true that I did not visit the house of owner and accused was not there. No labourer from outside would come to the estate for work.

**Re- Examination: Nil.**

(Typed to my dictation in the open court)

ROI & AC

Sd/-

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