

**As per the order dated 29.01.2026 on 311 of Cr.P.C application witness recalled and duly sworn on 07.03.2026.**

**Cross Examination: Sri.SP Advocate for accused.**

1. I am working in SIMONS company at Bengaluru. I know read and write english. My estate is situated at a distance of 300 feet from the estate of deceased and accused No.1. From my estate accused No.1 compound gate is not visible. The estate of PW.4 is situated at a distance of more than 500 meters from my estate.

Q.: After hearing three gun shots you have called PW.4 over phone?

Ans: After hearing two gun shots I have called PW.4 over phone.

2. It is not true to suggest that though I had heard three gun shots I am falsely deposing that I had heard two gun shots. Within 3-4 minutes I came to spot from my estate. I was stayed outside the compound gate of accused No.1 when I reached there. When I had reached the spot, PW.2 injured

was sitting outside the compound gate and drinking water. The Prakash was lying on ground outside of the gate. It may be true the width of the compound gate of accused No.1 is less than 20 feet. When I visited the spot, my that time CW.9 and 10 were present outside the compound gate.

3. The car in which we shifted injured to Hospital belongs to accused No.1. PW.4 Vinay came to spot only after I visited the place. Myself and PW.3 shifted PW.2 injured inside the car from the spot. When I visited the spot, CW.9 and 10, PW.3 Chethan were present.
4. Briza Car was stopped facing compound gate on road. The jeep was stopped opposite to Briza car. Briza car and Jeep were stopped in opposite direction. Both vehicles were stopped in middle of the road in opposite direction. It is not true to suggest that CW.9 and PW.3 shifted the injured PW.2 from the spot to car. I say myself and PW.3 have

shifted to car. CW.9 taken Briza car reverse side, before that opposite jeep was also taken back to give a way to shift to injured. After proceeding 50 feet CW.9 gave the car to PW.4 to drive the car to Hospital. We reached Gonikoppa Hospital within 15-20 minutes.

5. I was with PW.2 until he was shifted to Gonikoppa hospital in car. It is true from Gonikoppa Hospital I accompanied PW.2 to Apollo Hospital, Mysore. CW.9 was in Gonikoppa Hospital till PW.2 shifted to Mysore hospital in ambulance. CW.9 while he was with us in car he was in panic situation. CW.9 is the youngest amongst other in mates of the car. It is not true to suggest that since CW.9 was in panic mode, he was not in position to speak.
6. It is not true to suggest that CW.9 while traveling in car due to panic did not speak. CW.9 did not tell me from whom he came to know that his father has killed Prakash. It is not true to suggest CW.9 has not informed me that his father has killed Prakash and fired at PW.2. It is not true to

suggest that PW.2 was not in a position to speak while shifting in car. PW.2 was speaking "ನೋವು ಆಗುತ್ತಿದೆ, ಊರಿ ಆಗುತ್ತಿದೆ, ಗುಂಡು ಹೊಡೆದಿದ್ದಾರೆ"

7. It is true I did not state before the police stating that CW.9 Riyan has told me that his father has killed Prakash and fired PW.2. It is not true to suggest that without stating before the police, I am falsely deposing that CW.9 has told me that his father has killed Prakash and PW.2.
8. It is not true to suggest I did not state before the police stating that PW.2 has stated to me that accused No.1 and 2 have killed his father and fired at him. It is not true to suggest PW. 2 was not in position to speak in car, he was able to speak one or two words like "Yes" and "No" and I am falsely deposing that he has stated to me about the incident.
9. I am permanently residing at Beguru. From 2017, I am working in Bengaluru. My working days Monday to Friday. Every week I was not coming to native place, but at the time of incident I was in home and work from home.

10. I do not know the nature of property dispute between the deceased and accused.

**Q.:** When did you came back from Apollo Hospital?

**Ans:** Because of blood smell, I got vomited and took treatment and on same day I came back.

11. I have given statement before the police, whatever I had stated before the court in chief examination. It is not true that I had not given statement before the police. I was not present at the time of taking Ex.P.2 and 3 photos. I was not present at the time of taking photographs in front of accused No.1 compound gate.

12. While shifting injured to Hospital, when we were taking turn, PW.6 Subramani also came at a cross PW.4 ask them to visit the spot and attend, I did not talk to PW.6. It is not true to suggest that I do not know about the incident, on the basis of statement of PW.2 and police deposing falsely. I did not read the statement given before the police. Police recorded my

statement by writing. I do not remember on what date and which place my statement was recorded.

13. My statement was recorded in evening. While giving statement no other person was with me. It is not true to suggest that I had not given statement and themselves have created. Whatever I stated before the police, some portion has been added extra.

**Re- Examination: Nil.**

(Typed to my dictation in the open court)

ROI & AC

Sd/-

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