

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 acquainted with deceased Prakash since 25 years. It is true Prakash was not residing at Beguru and residing at Arvathoklu. It is true one stream is passing by the side of Prakash and other estate. I was not aware of Prakash illegally transporting sand from the said stream. I know deceased had two Tipper lorries. I had do not know he had teppa/boat to load the sand to tipper.
2. From our estate Kerala border is situated at a distance of 20km. I am not acquainted with Kerala people. I am not aware of deceased Prakash contact with Kerala people. It is not true to suggest I was also assisting Prakash in illegal transportation and selling of sand. It is not true to suggest that I was also partner with deceased in illegal transportation of sand.

3. I do not know many Criminal cases were registered against the deceased in respect of illegal transportation of sand. I do not know the deceased was Rowdy Sheeter in Ponnampet police station. I do not know the Criminal case was registered against the deceased were illegal stocking and sale of urea. I am not aware that the deceased was running gambling clubs and I am partner for the same.
4. On 30.03.2024 around 11.00 a.m I was proceeding towards Hudikeri to attend function. 5 minutes is sufficient to reach house of accused No.1 from Hudikeri. I have not given call detail about PW.2 phone call received on 30.03.2024 at 11.35 a.m. It is not true to suggest that on 30.03.2024 at 11.30 a.m PW.2 has not called me over phone stating that accused No.1 has shooted to his father and him near his house gate and come soon.
5. Police have recorded my statement about PW.2 phone me. I had seen PW.2 at Chinavada cross on the way to

Hospital. From Hudikeri to house of accused No.1 is about 3 km. It is not true to suggest from Hudikeri to accused No.1 is about 11 km and falsely deposing as 3 km. It is not true to suggest that to reach accused No.1 from Hudikeri 15 minutes is required and falsely deposing that I reached within 5 minutes.

6. It is true PW.2 was taking in accused No.1 car, PW.4 Vinay was driving the said car. It is not true to suggest that the Breeza car already crossed the main road when I met them. I had spoken with PW.2 while he was taking to Hospital in car. It is not true to suggest I did not speak with PW.2 but only spoke with PW.4 Vinay.

7. When I reached the spot two jeeps were stopped. One jeep belongs to deceased and I do not know other jeep belongs to whom. It is false to suggest that when I reached this place the nearby working labourers were assemble. I say accused No.1 and 2 were present, accused No.1 had gun in

his hand. It is not true to suggest that accused No.1 and 2 are present at spot when I reached there. It is not true to suggest that accused No.1 was not holding gun beside Prakash.

8. It is not true to suggest that CW.10 and others alone were present when I reached the place. It is not true to suggest that I did not state before the police that CW.7 pushed me back and cautioned not to go to spot as a accused No.1 holding gun. I did not see shifting the dead body of Prakash into jeep and I did not state the same before the police.
9. I had seen dead body of Prakash at a distance of 80 feet, as accused No.1 did not allow me to go near the dead body. I did not proceed further at the distance of 80 feet from the spot. It is not true to suggest that accused No.1 and 2 were not all present and deposing falsely before the court.

10. I was present at the spot about 3 minutes and thereafter I was standing in the main road where public were standing. Again I came to spot when police came there. Police came to spot after half an hour. Before arrival of police PW.1 did not come to spot. PW.1 came to spot 10 minutes after arrival of police to the spot. PW.1 was at the spot until shifting of dead body.
11. I am appearing in Ex.P.2, 4 and 5 photographs. It is true in those photographs PW.1 is not appearing. PW.1 has not signed the mahazar. Before police came to spot, the dead body of Prakash was shifted to jeep. After arrival of police, I had seen the body of Prakash which was kept in jeep. I had seen the body of Prakash in jeep which was visible to me. Except body no other things were visible to me. It is not true to suggest that Hockey sticks, long and single barrel gun were in the jeep. It is not true to suggest though I had seen those articles/weapons I am falsely deposing that I had not seen those articles.

12. My statement was taken at the spot itself. On the date of death mahazar was conducted. It is not true to suggest that I am not fully aware of Ex.P.21 Mahazar. I know who were all signed the mahazar. It is not true to suggest that I do not in detail the seizure of articles. Myself and PW.4 Vinay signed the mahazar. Another person has also signed but I do not remember his name. Blood stained soil, two pellets, blood scraping from compound wall, in all six articles were collected.

13. It is not true to suggest that at a distance of 80 feet where I was standing initially the dead body of Prakash was not visible. The photographs of deceased Prakash at the spot in not available in the file. The articles were sealed in 'R' english letter. Seal was not handed over to us. It is not true to suggest that in our presence no articles were sealed and on say of police falsely deposing that it were sealed in 'R' initial.

14. PW.2 blood stained shirt MO.2 was brought from Mysore hospital and I had seen it in police station. It is not true to suggest that MO.2 was not brought from Mysore. Police have told that they brought the MO.2 from Mysore hospital. I do not know the name of police personnel who said so.
15. I do not know the label found on MO.2 shirt. It is not true to suggest that I had connection with Prakash in respect of illegal activities as such deposing falsely before the court. It is falsely suggest that though I did not see anything personally deposing falsely against accused No.1. It is not true to suggest that all the signatures were made in police station itself.
16. It is not true to suggest that in my presence no writings were made at spot.

Re- Examination: Nil.

(Typed to my dictation in the open court)

ROI & AC

Sd/-

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