

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

**S.C. 5019/2019**

**PW:8**

**CW:19**

**Duly sworn on 27.01.2026**

<b>Name of the witness</b>	<b>Kyathegowda</b>
<b>Father Name</b>	<b>Boregowda</b>
<b>Age</b>	<b>62 years</b>
<b>Occupation</b>	<b>Retired CPI</b>
<b>Residence &amp; Mobile Number</b>	<b>Maddur</b>

**Examination-in-chief by Special Public Prosecutor:**

1. From 01.02.2019 to 19.01.2021 I have worked as CPI in Virajpet Circle.
2. On 21.07.2019 I had received case file from PW.2 PSI for further investigation. I had requested the Dy.S.P, Virajpet Division seeking permission for search warrant to search the house of PW.3 M Prakash. I obtained search warrant at Ex.P.18 from Dy.S.P on same day. **Ex.P.18(b)** is my signature. I have secured PW.1 and 4 to the office, briefed

them about the case. I have also secured PW.2, 6, CW.11 and 12, 15 and 18 to the office, they were also briefed about the case. They were asked to accompany me to the house of PW.3-Prakash for search in respect of prostitution run by accused. We all went to the house of PW.3 at 1.30 pm, situated at Shanthinagar, Virajpet Town.

3. Front door of the house was knocked, one girl has opened the door. The panchas and staff were asked to verify the house, on enquiry the girl has stated name as Jayanthi @ Rakshitha/CW.2, the resident Keragodu, Holenarasipura Taluk. She has stated that one Usha has brought her to house of accused for prostitution, the accused asked her to have sex with customers brought by the accused. She had also admitted having sexual intercourse in the unknown person in the house. She has shown the place, where she had sexual intercourse with unknown person, where the bed was laid

down on the ground, on searching the place MO.1 to 3 were found and same were seized. The signatures of witness were obtained on chit and pasted on those articles. Now I see the articles, which are already marked as MO.1 to 3. The same were seized under Ex.P.2 mahazar in presence of witness between 1.30 pm to 3.30 pm. At that time, Ex.P.3 to 7, 13 to 17 photos were taken. My signature in the mahazar, marked as **Ex.P.2(e)**. The sketch was also prepared at the time of mahazar, the said sketch is marked as **Ex.P.21, 21(a)** is my signature.

4. Thereafter, I returned to the police station with seized properties and subjected to PF No.78/2019. The property form is marked as **Ex.P.22, 22(a)** is my signature. In presence of PW.7, the statement of victim was recorded. Where she had stated that about 15 days back, she came to the house of Razak, where he had given Rs.1,000/- towards prostitution

and remaining amount of Rs.2,000/- will be paid on this day, and came to the house to collect the said amount, where accused asked her to have sex with unknown persons presence in the house and pay extra amount of Rs.2,000/-. She had also stated that the accused had collected Rs.5,000/- from the customers and promise to pay the amount after having sex.

5. Victim was subjected to the medical examination, she was left at Mahila Santhwana Kendra with assistance of CW.13. I have recorded statements of CW.3 to 5. CW.3 has given statement at Ex.P.8, CW.4 at Ex.P.20, PW.5 and 6, CW.18.
6. To trace the accused person CW.15 was appointed. On 22.07.2019 I have requested Chief Officer, Virajpet Town Municipality to provide residential certificate of PW.3. I had recorded statement of PW.3 and obtained rental agreement

copy. The rental agreement is marked as **Ex.P.23, 23(a)** is my signature.

7. On 24.07.2019 I have recorded statement of Cw.7. On 25.07.2019 Accused No.1 and 2, CW.11, 14 and 15 produced before me at 7.00 am. They were arrested by following arrest procedure and recorded there voluntary statements. Accused were subjected to the medical examination and produced before the Court with remand application. I have recorded statement of CW.11, 14 and 15.

8. On 06.08.2019 I received report with remand extract register in respect of PW.3 residential house from CW.9. The report of Chief Officer, Pattana Panchayathi, Virajpet marked as **Ex.P.24, 24(a)** is my signature. Property register extract is marked as **Ex.P.25, 25(a)** is my signature.

9. On 21.08.2019 I deputed CW.16 to record statement of CW.8. Who inturn recorded statement of CW.8 at Mysuru in her residence and produced before me. On 03.09.2019 on completion of investigation submitted chargesheet with note that after securing the details of customer, who had search with victim. Now I see the accused No.2 present before the Court and identifying her, I can identify him, if shown to me, he is absent, his identity is not disputed.

**Cross Examination: Sri.KNV Advocate for accused No.2:**

10. 10 minutes is sufficient to reach Court Complex from police station. After taking up the Investigation of the case, I could have search warrant from the Court. It is not true that PW.1 and 4 are the stock witnesses to our station. My staff has brought those witnesses to the office. Myself has received the search warrant.

11. The place of incident is located in residential area. We went to the spot in Departmental vehicle. Public did not come to the place. It is not true that I did not obtain search warrant, not visited the house of PW.3 to search. I did not inquire the neighbours of PW.3 house during raid. I did not had impediment to call local persons. It is not true that since I did not visit the scene of occurrence, therefore I did not call locality persons as witness.

12. I had knocked the main door of the house. In the mahazar, it is not stated I had knocked the main door of the house. It is not true that I did not visited the place. It is not true that the victim has not opened the door, she has not shown the place, and I had not enquired her, she did not disclosed that 15 days back she had come and received Rs.1,000/- towards prostitution, and visited again to collect balance amount from the accused. It is not true that I did not

sign on MO.1 to 3. It is not true that MO.1 to 3 have no nexus to this case.

13. It is not true that Ex.P.3 to 7 and 13 to 17 are created. It is not true that I did not record statement of victim in presence of PW.7. It is not true that I have not recorded any of the statements of the witnesses. It is not true that accused were not produced before me, they have not given any voluntary statement and created it. It is not true that the residential certificate of PW.3 house has no nexus to this case. It is not true that CW.16 has not recorded the statements of CW.8 in her residence at Mysuru. It is not true that Ex.P.2 mahazar is prepared in the police station. It is not true that sketch has been created in the police station itself. It is not true that without proper investigation, false case has been registered and submitted chargesheet.

**Cross Examination: Sri.NSP Advocate for accused No.1 adopted  
the cross examination of accused No.2:**

**Re- Examination: Nil.**

(Typed to my dictation in the open court)

ROI & AC

Sd/-

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