

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

Spl.C.No.5055/2022

PW:9

CW:22

Duly sworn on 27.02.2026

Name of the witness	Gajendra Prasad G S
Father Name	G L Shivegowda
Age	56 years
Occupation	DSP, Karnataka Lokayuktha, Chamarajanagara
Residence & Mobile Number	Chamarajanagara

Examination-in-chief by Special Public Prosecutor:

1. From 28.07.2021 to 30.01.2023 I worked as Dy.S.P in Madikeri Sub-Division.
2. On 28.09.2022 I received order from SP, Madikeri to continue the Investigation of this case. The order is marked as **Ex.P.18**. On same day, I received case file from CW.21/Mohanraj and verified the case file. Who

has registered the FIR in crime No.37/2022. The FIR is marked as **Ex.P.19**.

3. On same day, I had issued memo to CW.21 to produce the accused before me. Memo is marked as **Ex.P.20, 20(a)** is my signature. On same day at 10.30 am CW.21 has produced accused No.1 and 3 before me with his report. The report is marked as **Ex.P.21, 21(a)** is my signature.

4. I have arrested the accused No.1 and 3 by following arrest procedure. On same day, I visited the scene of occurrence, situated at Siddapura Town, Mysuru road in front of Prakash wine store on tar road. I secured Cw.8 Eshwar and Cw.9 Kokila as a witness. PW.1 injured Aiyappa was present and shown the scene of occurrence.

5. In the scene of occurrence beer bottle pieces Mo.1, blood stained stone pieces Mo.2, sample stone pieces Mo.3, and the blood stained T-shirt produced by PW.1 were seized under Ex.P.3 mahazar. Now I see the articles, and identifying them. My signatures on each article are marked as **MO.1(a) to 4(a)**. At the time of mahazar, Ex.P.4 to 7 photos were taken. Now I see the same, my signature in the mahazar marked as **Ex.P.3(b)**.

6. I returned to the police with seized properties and subjected to PF No.56/2022. I have submitted PF form to the Court. The property form is marked as **Ex.P.22, 22(a)** is my signature.

7. On same day, I have recorded statements of PW.3 to 7, CW.8, 9 and 20. PW.3 to 7 given statements at Ex.P.9 to 13. Their statements were recorded through audio-video through Cw.18 and received 65 B certificate from

Cw.18. The certificate is marked as **Ex.P.23, 23(a)** is my signature. On 28.09.2022 the accused No.1 and 3 after medical examination produced before the Court with remand application.

8. On 29.09.2022 I requested CW.14 Tahsildar to furnish caste certificate of Pw.1 and 2. On same day I requested CW.15 Tahsildar, Kushalanagar to furnish caste certificate of accused.

9. On 30.09.2022 I addressed to letter to CW.11 to give information about the electricity supply in the scene of occurrence at the time of incident. I had requested CW.12, PDO, Siddapura Gram Panchayath about the existence of Prakash wine stone, Siddapura-Mysuru road. I requested PW.8 Dr.Raghavendra to issue wound certificates of PW.1 and 2.

10. On 01.10.2022 I requested PW.8 for blood grouping of PW.1. On 08.10.2022 seized Mo.1 to 4 articles were sent to RFSL, Mysuru through CW.17 Krishnamurthya. On 09.10.2022 from CW.19 I have collected 65B certificate in respect of mahazar photos, DVD in respect of photos and audio-video, certificate is marked as Ex.P.24, 24(a) is my signature along with CD. The said CD is marked as Ex.P.25. The two CDs produced by CW.18, is marked as Ex.P.26 and 27. On same day I have recorded statement of CW.19.

11. On 11.10.2022 I received acknowledgment RFSL, Mysuru from CW.17 having submitted seized articles in RFSL Office. The acknowledgment is marked as Ex.P.28, 28(a) is my signature. On same day I received report from CW.11 about electricity supply at the time of incident. The requisition and reports are marked as Ex.P.29 and 30. My signatures are marked as

Ex.P.29(a) and 30(a). On 14.10.2022 I received RFSL report with sample seal from CW.16, is marked as **Ex.P.31, 31(a)** is my signature. As per the opinion of RFSL report, the blood stained was detected in article No.2 tar and stone pieces, and article No.4 T shirt.

12. On 20.10.2022 CW.11 I received report from CW.12 PDO regarding Prakash wine shop existence and also existence of electricity bulb at the scene of occurrence. The requisition, report and copy of license pertained to Prakash wines are marked as **Ex.P.32 to 34**, my signatures are marked as **Ex.P.32(a) to 34(a)**. The requisition and report of PDO regarding existence of electricity bulb, which was in working condition, same are marked as **Ex.P.35 and 36. Ex.P.35(a) and 36(a)** are my signatures.

13. On same day, I received wound certificates of Pw.1 and 2 at Ex.P.14 and 15 from PW.8. My signatures are identified and marked as **Ex.P.14(b) and 15(b)**.
14. On 28.10.2022 I received accused caste certificates along with encloses. Same are marked as **Ex.P.37 (series), 37(a)** is my signature. On 08.11.2022 I received caste certificates and residential certificate of PW.1 and 2 from CW.14 Tahsildar. The two requisitions and caste certificate of Pw.1 and 2 are marked as **Ex.P.38, 39, 40**, my signatures are marked as **Ex.P.38(a) to 40(a)**. On 09.11.2022 I completed the investigation, submitted chargesheet by showing accused No.2 as absconding. I can identify the accused No.3 if shown to me, he is absent, his identity is not disputed.

Cross Examination: Sri.KBM, Advocate for accused No.3:

15. It is not true to suggest that the scene of occurrence is situated by the garbage. During my investigation I have not enquired about whether PW.1 and 2 were consumed alcohol and not at the time of incident. During my investigation, I did not find any crowd in the scene of occurrence at the time of incident.
16. It is not true to suggest that beer bottle pieces are available in the premises of wine shop. MO.1 were found in the scene of occurrence on road. The spot mahazar Ex.P.4 to 7 photos were taken in mobile of Cw.19. In the said mobile camera, Geographical location has not set in a motion. It is not true to suggest that the accused were not at all at the scene of occurrence at the time of incident and they have been falsely implicated.

17. It is not true to suggest that MO.1 to 4 are planted for purpose of the case. It is not true to suggest that the witnesses are cited only to make case from. It is not true to suggest that I have conducted investigation properly.

Re- Examination: Nil.

(Typed to my dictation in the open court)

ROI & AC

Sd/-

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