

Witness called and duly sworn on: 20.07.2026

CROSS EXAMINATION BY: SRI. JSK LEARNED COUNSEL FOR RESPONDENT NO.2:

1. It was around 7.30 PM when the accident occurred. The accident occurred on the public road in front of Junior college, Madikeri town. The said road is called junior college road. The spot where the accident occurred is situated at a distance of about 1 KM from Chain gate where my house is situated.

2. It is true to suggest that as per the medical records one Sri. Fasil admitted me to the Hospital. The said Sri. Fasil is my son. I do not know as to who informed the said Sri. Fasil about the accident. The accident occurred on 31.03.2024. The informant Sri. M.A. Fasil is my son. I am aware that in the FIS the informant has stated that some unknown vehicle caused the accident and fled away.

3. It is false to suggest that as per the history noted by doctors at Madikeri Hospital which is mentioned on the basis of information given by my son Sri. Fasil, I was under the influence of alcohol at the time of accident and I had sustained injuries due to self fall under intoxication. I am residing at Madikeri since my childhood and I regularly commute on Junior college road. It is true to suggest that the house of one Dr. Sri. Appurao is situated opposite to Junior college. It is true to suggest that next to the house of Dr. Sri. Appurao the house of an Advocate is also situated. It is true to suggest that the houses of said Dr. Sri. Appurao and the advocate are big.

4. I am not aware as to when the police zeroed down on the offending car. The I.O. has not recorded any further statement of the said Sri. M.A.Fasil. I do not know the persons by name Sri. Pavan and Sri. Kiran who are cited as witnesses in the charge sheet. From Gowri beedi to spot where the accident occurred the distance is around 1 KM and one can go through Omkareshwara temple or via bus stand to reach Gowri beedi from the spot.

5. The respondent No.1 is a resident of Mandya. I am not aware if as on the date of accident the car bearing No.KA-03-MU-1339 was not under the ownership of respondent No.1 instead he had sold the same to some other person. I am not aware if the said Sri. Kiran who is cited as an eye witness in the charge sheet has informed the I.O. that his mother by name Smt. Kavya had purchased the said car at the time of accident and the same was under her ownership. Upon being questioned whether I know any person who has witnessed the accident, witness states that since it was dark I am not aware as to who witnessed the accident.

6. I am not aware as to when the police seized the car bearing No.KA-03-MU-1339. It is false to suggest that in the FIS the informant has stated that everyday I used to go to Madikeri town from chain gate by walk and return home by walk. It is false to suggest that the informant has also stated that I had no avocation of my own instead I used to stay at home even at the time of accident. It is false to suggest that even in the charge sheet it is specified that I was unemployed at the time of accident.

7. It is false to suggest that despite the fact that the car bearing No.KA-03-MU-1339 is nowhere concerned to the present case or the alleged accident yet I and my son in collusion with the owner of the said car and the police officials falsely implicated the car and its driver so as to maintain this claim petition. It is false to suggest that even the Ex.P6 IMV report is created for the purpose of this case and even the contents of the said document are false.

8. I was treated by Dr. Sri.Anand at Madikeri district Hospital and I have also undergone at Venlock Hospital, Mangaluru. Witness states that from Venlock Hospital I was once again brought to district Hospital, Madikeri for further treatment. I underwent treatment at Venlock Hospital as an inpatient for 8 to 10 days. I do not know the name of the doctor who treated me at Venlock Hospital. I have been taking follow up treatment at Madikeri district Hospital itself, in between I have consulted doctors at Venlock Hospital for about 2 to 3 times.

9. I do not know if the doctors at Venlock Hospital or Madikeri district Hospital have issued any disability certificate. I am aware that there are MACTs at Madikeri District as well. It is true to suggest that the registered owner of the car is a resident of Mandya. I am not aware if the insurance policy was availed by the insured at Mandya. I am not aware if the branch office of the Respondent No.2 company is situated at Madikeri as well.

10. I am not aware as to why the petition is filed at Mysuru despite the fact that the place of accident is situated at Madikeri, my place of residence is at Madikeri despite the fact that Madikeri MACT would have been convenient for me. I am also not aware as to why the petition was not filed in Mandya which is the place of residence of respondent No.1.

11. It is false to suggest that apprehending that if I file the petition at Madikeri true facts would come to light as people would be aware of the actual events that occurred on the date of accident, I have intentionally filed the petition at Mysuru. It is false to suggest that as I sustained the alleged injuries due to self fall while I was under voluntary intoxication, I am not entitled for any compensation. It is false to suggest that since the car bearing No.KA-03-MU-1339 is nowhere no concerned to the alleged incident in which I sustained alleged injuries and since the car is falsely implicated, the Respondent No.2 company cannot be made liable to pay any compensation to me.

RE - EXAMINATION : NIL

(Typed to my dictation in the open court)

R.O.I. & A.C.

Sd/-
Prl.Judge,
Court of SC., & MACT., Mysuru