

Witness called and duly sworn on: 05.05.2026

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

1. The accident occurred around 4.30 PM on 26.04.2024. It is true to suggest that as per the records the FIS was lodged by me on 04.05.2024. The FIS was lodged by me while I was undergoing treatment of the Hospital. The averment in the FIS that some bystanders sent me to the Hospital in a car which was passing by is true and correct. One of such bystanders is Sri. Siddaraju. As I did not know the name of the person who sent me to the Hospital, I did not mentioned the same in the FIS.

2. The I.O. has inquired with the said Sri. Siddaraju about the accident. I do not know the place of residence of the said Sri. Siddaraju nor do I know about his whereabouts. The averment in the FIS that the rider of the offending vehicle by name Sri. Siddaraju had assured amicable settlement as such I did not proceed to lodge the FIS immediately but later he retracted as such the FIS was lodged belatedly are also true and correct.

3. The said Sri. Siddaraju had proposed that he would bear the medical expenses and asked me to get the matter settled amicably while I was being taken to the Hospital but he did not come to the Hospital again. Even the father of the said Sri. Siddaraju had assured that he would bear the medical expenses. After about 8 days after the accident I realized that the said Sri. Siddaraju and his father did not intend to act as per their assurance.

4. The said Sri. Siddaraju who had sustained minor injuries obtained treatment at Govt. Hospital, Hullahalli. The said Sri. Siddaraju might have gone to the Hospital on the next morning.

5. All the medical records including bills which are available with me have already been produced before this tribunal and apart from the ones produced I do not have any other medical record or bill with me. Witness further states that the prescriptions issued by the doctors after discharge during consultation visits are misplaced.

6. It is true to suggest that in the FIS it is mentioned that the accident occurred while I was proceeding with the said Sri. Siddaraju who is my brother on a motorcycle and due to the fact that a Cow suddenly came on the road. The said Sri. Siddaraju is my elder paternal uncle's son.

7. I was taken to K.R. Hospital on the date of accident itself i.e., on 26.04.2024. It is false to suggest that as per the medical records produced by me I had not gone to K.R. Hospital on 26.04.2024 as deposed by me. I underwent treatment as an inpatient at K.R. Hospital for 5 days. It is true to suggest that as per Ex.P8 I underwent treatment as an inpatient at K.R. Hospital from 27.04.2024 to 07.05.2024.

8. The SHO was informed about the fact that I was undergoing treatment at the Hospital by my father. The driver of the car Siddaraju took me to Hullahalli Govt. Hospital and from there I was brought to K.R. Hospital, Mysuru in an Ambulance. My father accompanied me

to K.R. Hospital in the Ambulance. In all the Hospital records, it is specifically mentioned that it was my father who brought me to K.R. Hospital, Mysuru. The averment in Ex.P7 that I was taken to Princess Krishnajammanni Trauma Care Center, Mysuru on 30.04.2024 at around 12.10 PM by my father are proper and correct. It is true to suggest that when I was examined on 30.04.2024 at PKTCC the doctors found that I had sustained around 8 injuries more fully detailed in the Ex.P7 wound certificate.

9. It is true to suggest that nowhere in Ex.P7 it is mentioned that I was referred to PKTCC by doctors at K.R. Hospital similarly it is not mentioned that the injuries noted were old or new injuries i.e., the age of the wounds and injuries are not specified. I cannot say if as per Ex.P8 I was undergoing treatment as an inpatient at K.R. Hospital from 27.04.2024 to 07.05.2024 whereas as per Ex.P7 I was taken to PKTCC on 30.04.2024 as such the contents of the said document do not gel properly.

10. At Hullahalli Hospital I was treated for about 10 minutes and immediately thereafter I was brought to K.R. Hospital in an Ambulance. K.R. Hospital is situated at a distance of about 30 KM from Hullahalli Govt. Hospital. It is false to suggest that the assertion regarding fact that the driver of the car by name Sri. Siddaraju who took me to the Hospital has given his statement before the I.O., is false and I.O. has not inquired with the said Sri. Siddaraju regarding this case. I am a resident of Kallambalu village.

11. It is true to suggest that the persons who have signed the Ex.P4 spot panchanama as witnesses i.e., the Sri. Siddaraju S/o Murthy and Sri. Rasika S/o Mallikarjuna are also residence of Kallambalu village where I resides. It is true to suggest that the said Sri. Siddaraju S/o Murthy is also a driver by profession and he is a resident of Kallambalu village.

12. The spot was identified before the I.O. by the said Sri. Siddraju S/o Murthy. The Ex.P4 was prepared by the I.O., at the spot at around 4 PM and Sri. Siddaraju S/o Murthy and Sri. Rasika S/o Mallikarjuna have signed the spot panchanama as witnesses. The said Sri. Siddaraju S/o Murthy informed me that he identified the spot before the Police.

13. It is false to suggest that the facts asserted by me that at the time of accident I was proceeding as a pillion rider on the motorcycle which was manned by my relative Sri. Siddaraju are all false and cooked up stories. It is false to suggest that inspite of the fact that I was riding the motorcycle and sustained injuries due to self fall, the said Sri. Siddaraju was implicated to project as if he was the rider just to maintain this claim petition.

14. It is false to suggest that the Ex.P2 FIS was lodged on the basis of created Ex.P7 wound certificate. It is false to suggest that all the police records got exhibited by me have been created to suit my claim. It is false to suggest that even the assertions made by me that the said Sri. Siddaraju who was riding the motorcycle also sustained injuries and he took treatment at Hullahalli Govt. Hospital on the next morning

are also false. It is false to suggest that at the time of accident I was not wearing headgear. I had sustained grievous injuries on my face only, witness states that I had sustained abrasions and scratches on my hands and legs. It took me several days to recover from the facial injuries, witness states that even now I have pain on my left shoulder.

15. It is false to suggest that I have falsely asserted that I am experiencing pain on my left shoulder even now just to claim higher compensation. Though I had not sustained fractures but I was informed that I had sustained scratches on my left shoulder bone. Upon being suggested that as per Ex.P7 except for facial injuries all the other injuries are shown to be simple in nature, witness states that I was informed that there are scratches on my left shoulder bone but they are not too severe.

16. The doctor only informed me orally that I should take complete rest for 8 months however he has not issued any document in writing in that regard. It is true to suggest that I have not mentioned the name of the doctor who advised 8 months rest and when the said advise was given anywhere in my petition. Witness states that Dr. Sri. Vijaykumar gave me the said advise. No doctor has issued any disability certificate pertaining to injuries sustained in the accident.

17. It is false to suggest that I have not suffered disability due to injuries sustained in the accident and yet I have deposed false facts just to claim higher compensation. It is false to suggest that I am in a position to do all the work which I was doing prior to the accident and hence I am not entitled for any compensation. I have no

impediment to produce my D.L., before this court. It is false to suggest that as I sustained the injuries due to self fall and hence the Respondent No.2 company is not liable to pay any compensation to me. It is false to suggest that the said Sri. Siddaraju was not riding the motorcycle at the time of accident and the accident occurred due to my own negligence. It is false to suggest that I in collusion with other villagers and relatives have lodged a false FIS just to maintain this claim petition.

18. It is false to suggest that I have not incurred medical expenses to the extent forthcoming from the medical bills, yet the bills have been procured to suit my claim for higher compensation. I do not have any document to substantiate my contention regarding my avocation and income prior to the accident. It is false to suggest that even now I am doing the very same work which I was doing prior to the accident and I am earning more income than what I was earning prior to the accident and yet I have deposed false facts before this court.

19. It is false to suggest that I have not suffered disability due to injuries sustained in the accident and yet I have deposed false facts just to claim higher compensation. It is false to suggest that I am in a position to do all the work which I was doing prior to the accident and hence I am not entitled for any compensation. It is false to suggest that I have got lodged a false FIS and on the basis of created documents I have filed this false petition and deposed false facts in support of the same.

20. It is false to suggest that inspite of being aware that the accident occurred due to negligence on my part, I have lodged a false FIS and on the basis of created document I have filed this false petition and deposed false facts in support of the same. It is false to suggest that as the accident occurred due to my negligence, I am not entitled for compensation as sought for by me.

21. It is false to suggest that I have filed a false petition on the basis of created and concocted documents and have deposed false facts in support of the same as such the respondent No.2 company is not liable to pay any compensation to me if any awarded by this tribunal.

RE - EXAMINATION : NIL

(Typed to my dictation in the open court)

R.O.I. & A.C.

Sd/-

Prl.Judge,
Court of SC., & MACT., Mysuru