

**IN THE COURT OF THE ADDITIONAL DISTRICT & SESSIONS JUDGE,
VIJAYANAGARA DISTRICT, HOSAPETE.**

S.C. No.5005/2025

P.W. 01 C.W. 01

Duly Sworn on : 31.01.2026.

Further chief examination by Learned P.P. :

In UDR No. 05/2024, I have sent visceras to RFSL, Ballari, on 23.08.2024 through C.H.C. by name Sri. Thavarya Naik. I have submitted a report to the Learned Taluka Executive Magistrate to close the UDR case in view of registration of Crime No. 71/2024 regarding Sec. 103 of BNS, 2023.

Cross-examination by Sri. S.C.P., Adv for Accused No.1 and 2:-

The accused persons were not named in the UDR case. To a question as to whether any injuries were found on the dead body, the reply is that firstly I have not conducted inquest mahazar and secondly the dead body was decomposed. It is true that in the FIS based on which UDR case is registered, it is mentioned to the effect that for some reasons or accidentally, the deceased fell into water and died. It is true that in the inquest mahazar at column no.7 it is noted that prima facie the external injuries are not found on the dead body. The details of suspicions surrounding the death of the deceased are not noted in Ex.P.1 FIS lodged by me suo-motu for registration of FIR for the alleged offence u/Sec. 103 of BNS, 2023 against the accused no.1 and 2. It is true that in Ex.P.1 FIS I have not stated regarding the materials which were forthcoming against the accused no.1 and 2 to lodge Ex.P.1 FIS. I have not recorded the statement of Sri. Eshwarappa regarding disclosure of fact to the effect that

the accused no.1 and 2 have committed alleged murder. It is true that before lodging Ex.P.1 FIS there was no impediment for me to record the statements of Sri. Eshwarappa and Sri. Devaraja (accused no.2).

The identification of the dead body was made by me during the course of investigation in UDR case, for the first time, on 21.08.2024. On the same day (i.e., on 21.08.2024) I have not visited the residence, lane/road, or the locality of the deceased to enquire either his relatives or his neighbors or the persons residing in the locality. Before lodging of Ex.P.1 FIS, I have not made efforts to record the statements of relatives of the deceased. Since UDR case was already registered I did not feel it necessary to obtain FIS from relatives of the deceased concerning the death of the deceased. As per the information available at the stage of UDR case, the death was due to drowning in the water. It is not true to suggest that by making false allegation against the accused no.1 and 2 I have lodged false FIS. It is not true to suggest that the accused no.1 and 2 have not stated before me to the effect that they have committed the murder of the deceased. I have not recorded the statement of the mother of the deceased regarding the fact that the deceased had assaulted her with his hands on her nose and caused bleeding injuries. I have not recorded the statements of any witnesses (those who were assaulted by the deceased) regarding the fact that the deceased used to assault others. The witness voluntarily states that the said facts were stated by the accused persons themselves. It is not true to suggest that the accused persons have never stated so before me and that I am deposing falsely to the said effect. It is not true to suggest that the accused persons have not stated any facts which are stated by me in my examination in chief. It is not true to suggest that even though the deceased fell into the water by

accidental slip and died yet a false case is registered against the accused no.1 and 2.

Re-examination – Nil.

(Typed to my dictation in the open Court)

R O I & A C

(D.P.KUMARA SWAMY)

Additional District & Sessions Judge,
Vijayanagara District, Hosapete.