

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

S.C. No.5030/2021

P.W. 01 C.W. 01

Name : Shanthibai
Father's/Husband's Name : Puryanaik
Age : 65 years
Occupation : House wife
Residence : B.B. Thanda

Duly Sworn on : 03-12-2025.

Examination-in-chief by: learned P.P.

Deceased Sri. Galya Naik is my son. Accused No.1 is the wife of deceased Sri. Galya Naik. C.W.6, 8 to 10 and 12 are my sons. C.W.5 and 11 are my daughters in law. Accused No.2 is father of accused no.1.

Around 13 years ago, the marriage of deceased Sri. Galya Naik with the accused no.1 was solemnized. In their wedlock a son and a daughter are born. Deceased Sri. Galya Naik had studied upto Second PU. The accused no.2 had assured to secure a job for deceased Sri. Galya Naik. With such assurance, the accused no.2 took away my son deceased Sri. Galya Naik from our house to his house. The accused no.1 to 4 used to assault deceased Sri. Galya Naik at their house. Not able to tolerate the torture of the accused no.1 to 4, deceased Sri. Galya Naik had left the house of accused no.1 to 4 and went to Chitradurga, after the birth of two children. The accused no.1 to 4 had brought back deceased Sri. Galya Naik from Chitradurga and lodged a complaint against deceased Sri. Galya Naik at Mariyammanahalli Police Station. We got deceased Sri. Galya Naik released from said Police Station. Thereafter, deceased Sri. Galya Naik

went to Davanagere in search of job. Thereafter, deceased Sri. Galya Naik came back to Shivapura, Kudligi taluk. At Shivapura, the accused no.1 and deceased Sri. Galya Naik used to reside together. The deceased Sri. Galya Naik was doing hotel business at Shivapura. At that point of time I was residing at Goa. About 3 to 4 days prior to death of deceased Sri. Galya Naik, the accused no.2 used to assault deceased Sri. Galya Naik. The accused no.2 has taken away cash, gold and silver from the house of deceased Sri. Galya Naik and also taken away the accused no.1 from the said house along with him. At about 12.30 am (after the above noted incident) I received a phone call from deceased Sri. Galya Naik. In the phone conversation, deceased Sri. Galya Naik informed me about the said incident. He also told me that the accused persons attempted to administer poison to him and that he did not consume poison. He also expressed that due to overt acts of the accused persons he has decided to commit suicide. The accused no.2 had brought people in two tractors to the house of deceased Sri. Galya Naik to assault deceased Sri. Galya Naik. He had also informed me that he had brought poison to commit suicide. Deceased Sri. Galya Naik has died about 6 years prior to coming 25th of January 2026. After the said telephonic conversation, I came to VIMS Hospital, Ballari from Goa. Deceased Sri. Galya Naik was not in a position to talk. When I attempted to make him talk he started shedding tears in his eyes. By that time the accused no.2 came there. Deceased Sri. Galya Naik made signals indicating that accused no.2 had assaulted deceased Sri. Galya Naik. The accused no.2 influenced the doctor who was treating deceased Sri. Galya Naik and made the said doctor to inject something to deceased Sri. Galya Naik to see that deceased Sri. Galya Naik would not survive. After seeing deceased Sri. Galya Naik at the said hospital, I went

to Kudligi Police Station. At about 10.00 pm on the said day, a telephonic message was received by Kudligi Police Station from the said hospital to the effect that deceased Sri. Galya Naik died at the said hospital. When the said message came I was reaching near the said Police Station. I have given complaint to the said Police against the accused persons. I went to the said hospital to see the dead body of deceased Sri. Galya Naik. The said dead body was kept in mortuary in the said hospital, by the time I went there. The Police have informed me that they would come to the said hospital for investigation. I put LTM on the said complaint. The said complaint is marked **Ex.P.1** and my LTM as **Ex.P.1(a)**. Now I see two photos shown to me. The said two photos are the photos of dead body of deceased Sri. Galya Naik. The said two photos are now marked as **Ex.P.2 and 3**. Deceased Sri. Galya Naik had left a death note regarding the cause of his death in his house at Shivapura.(Learned PP seeks for permission to break open the sealed cover sent by F.S.L. Bengaluru to the Investigation Officer. Permission is granted. The said sealed cover is opened in the Open Court in the presence of the accused no.1 and 2, Learned defence counsel, Learned PP and the P.W.1.)

The present sitting MLA of Kudligi by name Sri. Nemiraj Naik is a cousin brother of the accused no.2. I can not identify the handwriting of my son for two reasons namely I am under mental depression due to death of my son and due to the fact that I am an illiterate person. The documents now shown to me may be the documents written by my son. My son told me that he has written some documents. The said two documents which are marked as QD.1 and QD.2 by the handwriting expert of FSL are now marked as **Ex.P.4 and Ex.P.5** respectively. I have given statement before the Police about the incident. The Police have unnecessarily deleted

accused no.3 and 4 from charge sheet even though they have also committed the alleged offences.

(Sri. S.C.P. Advocate appearing for accused no.1 and 2 would submit that he would cross examine this witness along with cross examination of C.W.6 and C.W.10 for the reason that if the defence is disclosed, the prosecution may educate C.W.6 and C.W.10 to patch up the cross examination. Hence, cross examination of P.W.1 is deferred till examination of C.W.6 and C.W.10.)

(Typed to my dictation in the open Court)

R O I & A C

(D.P.KUMARA SWAMY)

Additional District & Sessions Judge,
Vijayanagara District, Hosapete.