

Sessions Case.No. 149/2023
State Vs. Pooja
Exh. No.105

Deposition of Witness No. 11 for the State.

I do hereby on solemn affirmation state that:

My name is :- Dr. Pramod Kalidas Tike

Age :- 43 yrs. Occu. Medical Practitioner

R/o. Latur

Examination in chief by Ld. AGP Shri. S.V. Deshpande

01. My educational qualification is M.B.B.S. M.D. On 18/07/2023 I was attached to Vilasrao Deshmukh Government Medical College & Hospital as a medical officer, P.H.C. Giri brought one dead body of Hanumant Haribhau Kathare for conducting autopsy alongwith inquest panchanama. I conducted autopsy on dead-body on 19/07/2023 at about 8.00 a.m. and completed it by 9.00 a.m. I found following external injuries over the dead body, which are as under and which are also mentioned in column no. 17 of P.M. Report.

- i) Contused lacerated wound over midline of frontal and parietal region exposing underlying skull of size 07 X 0.50 cm in length
- ii) Contused lacerated wound left side of frontal and parietal region of size 5 cm in length.
- iii) Contused lacerated wound left side of frontal region 1 X 1 cm.
- iv) Contused lacerated wound over right leg upper 3rd of size 2 X 2 cm with corresponding fracture of right tibia and fibula.

02. There were fracture injuries, which are mentioned in column no. 18 of P.M. Report, which are as under.

- i) Parietal bone depressed comminuted fracture and
- ii) fracture of right tibia and fibula

03. Injuries mentioned in column nos. 17 & 18 of the P.M. Report are ante mortem injuries.

On internal examination of deadbody, I found following injuries, which are mentioned in column no. 19 of P.M. Report.

- i) Contused lacerated wound over left fronto parietal region and subgaleal contusion involving left fronto parieto temporal region.
- ii) Communicated fracture of left fronto parietal and temporal bones of skull.

04. Meninges were ruptured and brain herniation seen through fractured skull bones. Viscera was not preserved but blood was preserved for grouping and further comparison.

05. As per my opinion cause of death is head injury. Accordingly, I prepared P.M. Report. Now P.M. Report is shown to me, it is the same, it bears my signature, contents are true & correct, it is marked as **Exh. 106/P.W.11.**

06. Police forwarded one iron pipe and wooden rod in sealed condition to seek my opinion as per requisition letter dated 02/08/2023. Now said letter is shown to me, it is the same, it bears my signature to show my acknowledgment, it is marked as **Exh. 107/P.W.11.** Accordingly after examination of iron pipe and

wooden rod, I issued weapon query report. Now said report is shown to me, it is the same, it bears my signature, it is marked as **Exh. 108/P.W.11.** Injuries mentioned in column no. 17 of P.M. Report, can be caused due to use of both the weapons.

07. Now said iron pipe (Article-D) and wooden rod (Article-E) are shown to me, they are the same, which came to be forwarded to me for seeking my opinion and there are labels of my signatures on both the weapons.

Cross-exam.by Mr. N.S. Shinde Adv. for the Accused nos. 1 & 2

08. It is true to say that head injury can be possible in cases of accident also. It is not true to say that if someone proceeds on two wheeler and meet with an accident, then injuries mentioned in column no. 17, 18 & 19 of P.M. Report are possible. It is true to say that contusion injury and lacerated injury are different in character. It is not true to say that contusion and lacerated injury are not possible simultaneously. Witness voluntaries that if applied force is much then first laceration injury follows to contusion. It is true to say that in P.M. Report no depth of any injury is mentioned. It is true to say that injury no. 2 in column no. 17, there is no size of width. It is true to say that size of width helps to determine thickness of object, by which injury sustained.

09. I have examined, measured weapons and accordingly prepared weapon query report. It is true to say that no weapon having thickness of 2 mm, was forwarded to me to seek my

opinion by the investigating officer. It is not true to say that thickness of material object corresponds to width of injury. It is true to say that I did not find any injury, which can be caused by the weapon having thickness of 2 m.m.

10. Injury no. 2 & 3 mentioned in column no. 17 of P.M. Report can be caused, if someone falls on the stone. Injury no. 4 mentioned in column no. 17 of P.M. Report can be caused, if someone falls from motorcycle. Witness voluntaries that in that case there would not be any associate injuries like abrasions. It is true to say that as in the present case there were no associate injuries and hence, I am saying that said injuries cannot be caused due to accident. It is true to say that if someone falls of the stationary two wheeler then injuries mentioned in column no. 17 can be possible only on the side of fall. Witness voluntaries that in the present case injury no. 1 is on midline, whereas injury no. 2 & 3 are left side and injury no. 4 is on right side. So, all injuries cannot be possible due to fall on one side. It is true to say that if someone is on stationary two wheeler, other vehicle gave dash from right side and person falls on left side, then injuries mentioned in column 17 are possible except injury no. 1.

11. It is not true to say that preservation of viscera is mandatory. It is true to say that viscera is preserved to ascertain whether deceased is under the influence of liquor, drugs or medication. Witness voluntaries that while conducting autopsy it is possible to ascertain whether deceased is under the influence of liquor or drug and in case of any confusion viscera is preserved.

12. Rigor mortise was present over the deadbody. It is true to say that presence of rigor mortise depends upon the condition of temperature. It is true to say that Latur city comes in hot temperature region. It is true to say that deadbody was received on 18/07/2023 then same was kept in cold storage about 12 hours and then on next day autopsy was conducted. I cannot say whether rigor mortise was fully developed when dead-body was kept in cold storage.

13. It is not true to say that I have not conducted autopsy as per the prescribed norms and I have violated said rules.

Cross-exam.by Mr. Bavge Adv. for the Accused nos. 3

Adopted

Cross-exam.by Mr. G.P. Katale Adv. for the Accused nos. 4

14. It is true to say that injuries mentioned in column no. 18 & 19 of P.M. Report are corresponding to injuries mentioned in column no. 17. It is true to say that contusion means effusion of blood. It is true to say that meninges are protective membrane of brain, which are in three layers first is duramater, arachnoid mater and piamater. It is true to say that durameter is outerlayer which is thick and attached to skull. archemeter is in the middle layer which is web like and piameter is inner layer, which is thin and directly attached to the brain surface. As there was herniation of brain, so it is not required to mention the depth of injury.

15. It is true to say that as per the book on medical jurisprudence every injury is to be mentioned in length, width and depth. On the basis of autopsy, it is not possible to say exact time of death. It is true to say that on the basis of autopsy, I cannot say at what time injuries sustained to deceased. After observing the injuries sustained to the deceased, it can be said that he loss excessive blood due to the said injuries. It is true to say that excessive lost of blood can be one of the reason to cause death. Witness voluntaries that in the present case there was brain herniation hence, death cannot be caused due to excessive loss of blood. It is not true to say that if medical treatment had been provided in time, then patient could have been survived.

16. It is true to say that death may not be caused due to the injuries mentioned in column no. 18 of the P.M. Report. It is true to say that I have not mentioned that there was exposure of brain in any injuries mentioned in column nos. 17 & 18, but there is reference in column no. 19 to that effect. It is not true to say that my findings are wrong in respect of meninges were ruptured. It is not true to say that preservation of viscera is necessary to ascertain the cause of death.

17. It is not true to say that in respect of fracture injuries mentioned in column no. 18, opinion of orthopedic doctor would be prevail over my opinion. I have not obtained opinion of any orthopedic doctor about the injuries mentioned in column no. 18.

18. Total length of iron pipe was 110 cm. and total length

of wooden rod was 78 cm. It is not true to say that considering the thickness of the said weapons mentioned in the report, injuries mentioned in P.M. Report are not possible. It is not true to say that I have given wrong findings in the said report that injuries mentioned in the P.M. Report can be possible by the said weapons. It is not true to say that I have given wrong opinion in respect of cause of death. It is not true to say that I have deliberately not preserved the viscera. It is not true to say that injuries mentioned in P.M. Report were not ante-mortem injuries. It is not true to say that I have issued wrong P.M. Report and weapon query report.

Cross Over.

No Re.

R.O. & A. C.

Date :- 31/10/2025

**(S. J. Bharuka)
Sessions Judge, Latur.**

Certificate

Taken before me and signed by me in presence of the accused to whom the deposition was explained and opportunity given to cross-examine the witness.

Date :- 31/10/2025

**(S. J. Bharuka)
Sessions Judge, Latur.**