

**IN THE COURT OF THE I ADDL CHIEF**  
**METROPOLITAN MAGISTRATE BANGALORE**

**CC No. 9202-2019**

|                      |          |                      |              |
|----------------------|----------|----------------------|--------------|
| <b>Deposition of</b> | <b>:</b> | <b>Subramanya P.</b> | <b>CW:17</b> |
| <b>Father's Name</b> | <b>:</b> | <b>Thangappan</b>    | <b>PW:7</b>  |
| <b>Age</b>           | <b>:</b> | <b>54 years</b>      |              |
| <b>Occupation</b>    | <b>:</b> | <b>Retired DSP.</b>  |              |
| <b>Residence</b>     | <b>:</b> | <b>Kodagu</b>        |              |

**Duly Sworn on 09.03.2022.**

**Examination in Chief by Sr. APP:**

From October 2018 to February 2020 I have served as ACP in CCB SE Squad, Bengaluru. On 06.12.2018 I took over further investigation of the case from CW16. CW16 produced a CD along with file. I have seized it in presence of panchas under mahazar. The said CD contains conversation between complainant and accused. I have retained said CD as per PF no. 36/18. Now I see said PF it is marked as Ex.P21 and signature of witness is marked as Ex.P.21(a). On 19.02.2029 I deputed HC 6469, PC 2318 to Belgaum for search of accused no.1. On 19.02.2019 at 9.30 AM said officials produced A1 before me and submitted report in that regard. Said report is marked as Ex.P22 and

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signature of witness is marked as Ex.P22(a). On 20.02.2019 I have recorded voluntary statement of A1- Murugappa Kumbar. Thereafter I have filed requisition before court seeking permission to record sample voice of a1 and CW2 Balaraj in order to confirm phone conversation of CD furnished by RT Nagar PS. After obtaining such permission I issued notice to both of them and recorded their sample voice on 23.02.2019 in the presence of CW5 and 6 in my mobile and mobile phone of our HC 1314. Thereafter said sample voice was copied from mobile phone to two CDs with the help of computer system. Thereafter I have retained such CDs under PF No. 32/19. Now I see requisition issued to the court is marked as Ex.P23 and signature of witness is marked as Ex.P23(a). Now I see notice issued to CW2, is marked as Ex.P24 and signature of witness is marked as Ex.P24(a). Now I see mahazar conducted at the time of taking voice sample, is marked as Ex.P25 and signature of witness is marked as Ex.P25(a). PF No. 32/19 marked as Ex.P26 and signature of witness is marked as Ex.P26(a). On same day I have got prepared 65B

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Evidence Act Certificate of myself, same is marked as Ex.P27 and signature of witness is marked as Ex.P27(a).

Thereafter I have produced back accused to the court. On 25.02.2019 I have recorded statements of CW9 to 12. thereafter in view of my transfer, I have handed over further investigation of the case to CW18. Now I see a CD furnished by RT Nagar PS under PF No. 107/18, same is marked as MO-1. Now I see 4 CDs of voice samples of A1 and CW2, same are marked as MO-2 to 5. I can identify A1 if shown to me.

**Cross Examination by Sri KS for A2:**

it is false to suggest that I have not deputed any officials for search of A1 and CW12 has not produced said accused before me. It is false to suggest that RT Nagar police have not given MO-1 CD and same is created for this case. It is false to suggest that accused no. 1 has not given any voluntary statement and I have not recorded voice sample of A1 and CW2 as deposed by me. It is false to

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suggest that I am deposing falsely though I have not recorded statements of any witnesses.

Counsel for A1 and 3 absent. hence cross-examination on behalf of A1 and 3 taken as nil.

**Re-Examination : Nil**

(Typed to my dictation in open Court).

**R O I & A C**

**I ACMM, Bengaluru.**