

IN THE COURT OF THE VI ADDL. CHIEF METROPOLITAN
MAGISTRATE BANGALORE CITY

CC NO.: 24721/2016

PW: 1 CW: 1

Name	:	Binu Simon
Father's Name	:	Simon
Age	:	30 years
Occupation	:	Branch Manager –Muthoot Fincorp Ltd.
Residence	:	Tavarekere,Bengaluru

Duly sworn on: 18.09.2017.

Examination in chief by Sr.APP:-

I am the Branch Manager of Muthoot Fincorp Ltd., at Tavarekere, BTM layout since 4 years. I know the accused. Accused had applied for Gold Loan. Name of accused is Gopal M.R. On 05.12.2014, accused pledged two gold show chains and one necklace and I paid a sum of Rs.3,96,700/-. Prior to 05.12.2014 accused and his wife have come to our company to enquire about the Gold Loan. He informed that, he wants to purchase site at Nelamangala for Rs.4 lakhs. We had taken copies of D.L., Aadhar card and Rental agreement of the accused. I went to the house of accused to verify the address and he was residing in the address given. On 15.01.2015 Vijaynagar Police suddenly came to our branch and seized the gold. Police told that it is stolen

property by Purushotham and Nagaraj and in the name of accused they have pledged the gold. Accused never informed us that it is the property given by Purushotham and Nagaraj. Accused had clearly stated that, the gold jewels belong to him. The accused has cheated us to the tune of Rs.3,96,700/-. Police have seized the gold pledged by the accused. Thereafter I lodged complaint to police. Now I see the complaint and same is marked as Ex.P.1 and signature of the witness is marked as Ex.P.1(a). Police visited our branch and conducted spot mahazar. I see the mahazar and same is marked as Ex.P.2 and signature of the witness is marked as Ex.P.2(a). I have also produced the Bank statement for having transferred the money to the accused and same is marked as Ex.P.3. I have also produced the pledge form executed by accused and true copy of the same is marked as Ex.p.4. I have given the copies of the D.L., Aadhar and Rental agreement to the police. Police have prepared mahazar in our office at the time of seizure of the gold articles. The original is not produced.

(At this stage, Sr.APP prays time to produce original seizure mahazar. Further chief is deferred as prayed.)

(Typed to my dictation in open court).

R O I & A C

VI Addl. C.M.M.Bangalore.

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07.06.2017.

Accused present. CW-1 is examined
as PW-1. CW-1 is examined as PW-1.
Ex.P.1,1a,2,2a got marked.

VI

ACMM

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17.08.2017.

CW:1 PW:1

CW-1 and 2 examined as PW-1 and 2. Ex.P.1 to 4 marked. Pw-1 and 2 being the complainant and material witnesses have turned hostile. No purpose will be served by examining the other witnesses, as the parties have compromised the matter. Hence, the prayer of Sr.APP for issuance of summons to the other witnesses is rejected. Prosecution side treated as closed. Since there is no incriminating evidence, 313 statement is dispensed with. Heard the arguments.

Kept by for judgement.

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