

**II ADDITIONAL DISTRICT & SESSIONS JUDGE,
BENGALURU RURAL DISTRICT, BENGALURU**

Spl. Case No. 59/2010

PW.25 CW.105

Witness Name : D. H. Hanumathaih,
Father's Name : Late Hanumiah,
Age : 72 years,
Occupation : Retired PSI,
Residence : Bengaluru.

Witness duly sworn on 03.12.2022

CHIEF EXAMINATION : BY SPECIAL PP

From January 2010 to March 2010 I was incharge PSI of Vishwanathapura PS. On 12.02.2010 at 03.30 p.m. when I was SHO of Vishwanathapura PS, PW.1 came to the Vishwanathapura station and gave written complaint. I received it and registered case at Crime No. 10/2010 of the Vishwanathapura PS. Thereafter I sent the original FIR and Complaint to the court through PC 1256/CW.87. Copies were also sent to higher officers. Since the offences were serious in nature I handed over the investigation of this case to DySP of Doddaballapura Sub Division. The documents now shown to me are the complaint given by PW.1 and the FIR registered by me. Complaint is already marked at Ex.P. 1. The signature of witness on Ex.P. 1 is marked at Ex.P. 1(b).

The FIR is marked at Ex.P. 42. The signature of witness on it is marked at Ex.P. 42(a).

2. They DySP instructed orally to arrest the accused. I along with CW.92 and other Police Staff, arrested accused no.4 Govindaraj and accused no.5 Muniraj at Chapparadakallu Bus Stand on same day at 9 p.m. and produced them before DySP at 9.30 p.m. The document now shown to me is the report pertaining to arrest of those accused. It is marked at Ex.P. 43. Frequently those two accused used to come to Police Station hence, I was acquainted with their identity.

Cross examination: By Sri. MRN Counsel for A1 and 12

3. The distance between Vishwanathapura and this court is approximately 30 kms. It is incorrect to suggest that the distance between them is just 12-13 kms. It is incorrect to suggest that there were frequent bus facility between Vishwanathapura and Bengaluru City. PW.1 was accompanied with PW.4 to the Police Station when PW.1 came to lodge complaint. I did not enquire in whose handwriting Ex.P. 1 is. I have not recorded the statement of PW.4 when he came along with PW.1 to the Police Station. I did not observe whether the clothes of PW.1 were stained with blood when he had come to Police Station. Both PW.1 and 4 were

present in the Police Station for about half an hour ie till 4 p.m. I dispatched the FIR to the court on same day at 4.30 p.m. It is incorrect to suggest that the FIR was dispatched by me at 7 p.m. after concocting Ex.P. 1.

4. Since it was 9 p.m. there were no public present at the Chapparadakallu Bus Stand. Shops were not there in the Bus Stand at that time. I did not draw any mahazar at Bus Stand when I arrested accused no.4 and 5. The DySP has not provided the photographs of accused no.4 and 5. It is true to suggest that in Ex.P. 43 report I have stated about I having acquaintance of identity of accused no.4 and 5 previously. At the time of arresting accused no.4 and 5 I was in Civil dress. On seeing me and my staff accused no.4 and 5 did not attempt to run away. I and my two staff jointly caught hold accused no.4 and 5 who were sitting. At that time the clothes of accused no.4 and 5 were not tared. It is incorrect to suggest that accused no.4 and 5 were arrested from their house and not in Chapparadakallu Bus Stand.

5. Ex.P. 1 was not written by them in Police Station. It is incorrect to suggest that at the instance of my senior officers I am deposing falsely. I have not personally intimated arrest of accused to their family members.

Cross examination: Counsel for accused no.5 and 6 pray time. No grounds. Prayer rejected. Cross examination on their behalf taken as nil.

Cross examination: Counsel for other accused adopt aforesaid cross examination.

Re-examination: Nil

(The statement of witness is recorded in the open court as stated by him and it contains true account of his statement and is read over to him and admitted by him to be correct)

R.O.I. & A.C.

(V. M. Anandashetti)

II Addl. District & Sessions Judge,
Bengaluru Rural District, Bengaluru.