

Witness duly sworn on 30.03.2023

Further Cross examination: By Sri. KNR for A2 and 10

130. It is true that the place where Ex.P.15 is drawn is open space accessible to all. There are adjoining lands also. The adjoining lands also cultivated. Labours would be present in adjoining lands. The rosa plants bush were of red colour rose plants. It is true that in Ex.P.15 the colour of flower of rose plants is not mentioned. The persons in adjoining lands were not called to attest the mahazars. It is true that local witnesses are to be secured at the time of drawing mahazars. The residence of witnesses to Ex.P.15 mahazar is 3-4 kms from the place of drawing said mahazar. It is incorrect to suggest that Vishwanathapura which is the place of residence of PW.10 and 11 is at a distance of 18 kms from the place of drawing Ex.P.15 mahazar. It is incorrect to suggest that even the place of residence of CW.44 is at a distance of 18 kms from the place in Ex.P.15. It is incorrect to suggest that Ex.P.14 and 15 are created by me in the Police Station without visiting the spot. It is incorrect to suggest that M.O.2 and 6 are also created and planted to suit the prosecution case.

131. To the question that whether PW.2 has stated before you that accused no.10 slapped at the cheek of PW.4 and abused him as "ವಡ್ಡನಾಕೇಯಾ ನಿಮ್ಮ ಜಾತಿ ಸರಿ ಇಲ್ಲ" (confronted to PW.2 at page no.22 of his deposition) the witness states that in his statement dated 16.02.2010 the witness has stated about taking the name of caste and hitting PW.4 but has not stated the place of hitting as 'cheek'.

132. I do not know whether PW.4 and then President of Bommavara Grama panchayat by name Ramamurthy were friends. I do not know whether accused no.2 and 10 were not in good terms with said Ramamurthy. It is incorrect to suggest that said Ramamurthy and PW.4 colluding with each other have implicated accused no.2 and 10 in this case through me. I have not recorded the statements of PW.10, PW.11 and CW.44. It is incorrect to suggest that I have not at all seen PW.10, 11 and CW.44. It is incorrect to suggest that they are planted witnesses.

Cross examination: By Sri.KVK for accused no.17

133. It is incorrect to suggest that during my investigation I came to know that there are civil disputes between father of

accused no.17 and family of PW.1 and that dispute was since 10 years prior to incident.

134. It is true that the PW.1 has not stated in Ex.P.1 complaint that accused no.17 had assaulted PW.3 at his head with club.

(The counsel further submits that he would adopt rest of the aforesaid cross examination)

Cross examination: By Sri. KJG for A3, 7, 11, 13 and 14

(Colleague of Sri. KJG prays time. Hence, deferred to 03.04.2023).

(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.