

**IN THE COURT OF IX ADDL. DISTRICT AND SESSION
JUDGE, BANGALORE RURAL DISTRICT BANGALORE**

SC NO. 123/2018

C.W9 Examined as P.W 5

WITNESS DULY SWORN ON 15-12-2018

| | |
|----------------------|------------------------|
| DEPOSITION OF | Madappa |
| FATHER/ HUSBAND NAME | Munigurappa |
| AGE | 50 |
| OCCUPATION | Cooli |
| RESIDENCE | Kadajakanahalli |

EXAMINATION IN CHIEF BY P.P :

The witness identified photographs at Ex P4 and P5. About 1 year back when I was grazing my cattle at Jakkanahalli, police called me and there was a lorry in the said place. The police took photograph of me. The police removed the mud from the lorry in the said place. I have not given any statement to the police. The witness identified his signature in the mahazar, it is marked as Ex P11, signature is marked as ExP11 (a).

(At this stage the learned special PP sought permission to treat the witness as partly hostile. Heard. Perused the statements of witness. Since the witness has not deposed as per the statement, permission is granted to treat this witness as partly hostile.)

CROSS EXAMINATION BY PP :

It is true that on 16-01-2017 when I was at Kadajakkanahalli bus stop the police called me. It is not true to suggest that when I was taken to said place a lorry was standing loaded with sand. The witness voluntaries that the lorry was standing and it was loaded with mud. It is not true to suggest that sand was unloaded from the said lorry. It is true that when the police called for preparing mahazar I was present at that time. I do not know whether there was no number plate on the back of the lorry and the colour of lorry was changed. It is true that police seized the same and taken over the said lorry from the said place. It is not true to suggest that the said lorry not loaded with mud, it was loaded with sand. It is not true to suggest that accused Ajay was on the spot near the lorry. On showing photograph the witness identified the presence of accused on the said lorry who is also present before the court.

CROSS EXAMINATION BY M.M FOR A1 :

The accused persons not known to me. I do not know about accused persons earlier. It is not true to suggest that I identified accused persons as per the say of police. It is true that I have not given any statement to the police.

CROSS EXAMINATION BY C.S FOR A3 :

I do not know about theft of sand loaded lorry. The police not informed me about theft of said lorry. I have not seen the accused persons on the spot on that day. The police obtained my signature in the police station. I do not know the contents of statement.

CROSS EXAMINATION BY OTHER COUNSELS :

Absent. Recorded as nil.

(Certify that deposition is dictated to typist in open court on computer directly)

R.O.I & A.C

IX Addl. District and Sessions Judge,
Bangalore Rural District, Bengaluru.

**IN THE COURT OF IX ADDL. DISTRICT AND SESSION
JUDGE, BANGALORE RURAL DISTRICT BANGALORE**

SC NO. 123/2018

C.W10 Examined as P.W 6

WITNESS DULY SWORN ON 15-12-2018

| | |
|----------------------|------------------------|
| DEPOSITION OF | Ravikumar |
| FATHER/ HUSBAND NAME | Sampangappa |
| AGE | 41 |
| OCCUPATION | Business |
| RESIDENCE | Kadajakanahalli |

EXAMINATION IN CHIEF BY P.P :

The witness identified his signature in Ex P11, it is marked as Ex P11 (b). About 1 year back I visited Electronic City police station, in connection with involvement of one person of his village in some case. The police obtained my signature to the mahazar. I know PW5 Madappa who is native of my village. The witness identified the photographs at Ex P4 and P5 and stated that the said photographs are taken near his village. The police inspector informed me about theft of lorry. The said lorry was loaded with sand. When I saw the lorry nothing was loaded in it and the sand was by the side of said lorry. I do not know accused Ajay. I have not given any statement to the police.

(At this stage the learned special PP sought permission to treat the witness as partly hostile. Heard. Perused the

statements of witness. Since the witness has not deposed as per the statement, permission is granted to treat this witness as partly hostile.)

CROSS EXAMINATION BY PP :

I do not know whether on 16-01-2017 the police visited our village, the witness voluntaries that I cannot remember the date of visit of police. But it is true that the circle inspector of Electronic City Police station visited our village. I do not know the person by name Ajay who is the native of my village. I do not know whether said Ajay brought one lorry to our village loaded with sand. It is not true to suggest that police issued notice to me. The witness further says that the police obtained my signature to the document shown to me in my village. The witness identified his signature in the police notice. The said notice is marked as Ex P12, signature is marked as Ex P12 (a). It is not true to suggest that I came to know that said Ajay and his associates unloaded sand and parked the lorry in the said place. It is not true to suggest that the colour of lorry changed there was no number plate behind the lorry and I have given statement to this effect. I do not know whether police taken lorry from the said place. The statement of witness marked as Ex P13. It is not true to suggest that to help the said Ajay I am deposing falsely.

CROSS EXAMINATION BY C.R FOR A4 AND A5 :

I do not know any connection between sand and lorry as per Ex P4 and P5. It is true that I have not visited the spot and police called me to the police station and obtained my signature. I do not know the contents of mahazar.

CROSS EXAMINATION BY M.M FOR A1, C.S FOR A3 :

Adopts the same.

**CROSS EXAMINATION BY OTHER COUNSEL FOR OTHER
ACCUSED PERSONS:**

Absent recorded as nil.

(Certify that deposition is dictated to typist in open court on computer directly)

R.O.I & A.C

IX Addl. District and Sessions Judge,
Bangalore Rural District, Bengaluru.