

SC.No.286/2023
PW.4

**IN THE COURT OF THE PRL. DISTRICT AND
SESSIONS JUDGE, BENGALURU RURAL DISTRICT,
BENGALURU.**

SC.No.286/2023

CW.12 IS EXAMINED AS PW.4

WITNESS DULY SWORN ON 17-02-2025

Deposition of	Parappa
Father's Name	Prabhuraya
Age	38 Years
Occupation	Mason
Residence	Hoodi, Bengaluru

EXAMINATION-IN-CHIEF BY LEARNED PP:

I know deceased Raghavendra, who came to work with me and worked with me for 6 days. On Saturday evening, I had paid the wages to deceased Raghavendra and to other workers and I had been to my place.

2. About four years prior to my deposition, I have taken contract to construct building with CW.14-

Narayanagowda at vacant site of CW.14 situated at Rooby Layout, Dandupalya, Hosakote i.e., 3 months prior to the alleged incident of this case.

3. At that time, deceased Raghavendra, Hindi talking persons Roni and Vicky were joined as workers with me i.e., about a week prior to the alleged incident. I had also taken contract of construction of house belonged to one Ranjith and said place is also situated near to the place of the property of CW.14.

4. Vicky and Roni were staying in the constructing site of CW.14. Deceased Raghavendra was staying about 1.5-2 kms., away from said site of CW.14. I have given the wages for the work of 6 days to all those workers including Raghavendra. On Monday at about 06:30 am., I received the phone call from a neighborer. I do not remember the date, month and time of receiving such phone call. However, it is about 4 years prior to my deposition. From said phone call, I came to know that one

of the workers was murdered in said site of CW.14. Immediately, I called CW.14 and informed it. I have also gone to said spot and saw the dead body of Raghavendra. I got this information through one Ranjith. When I saw the dead body of Raghavendra, I saw the injury on his head. In this regard, I have given statement before Police twice. I can identify Vicky. When A1 produced before Court through VC was shown to witness, he initially says that said person is Vicky and afterwards, he deposes that at the time of work under him, said Vicky had beard and this A1 produced through VC is not having beard and hence, he cannot exactly identify A1.

5. The dead body now shown to me in nine photographs is the dead body of deceased Raghavendra. In some of those photographs, the shed is also visible. As witness identified the dead body in those photographs, those photographs are marked as Ex.P.7 to 15, subject to marking of Certificate U/s 65-B of the Evidence Act.

(At this stage, learned PP prays to treat the witness as partly hostile. On perusal of records and the submission of learned PP, learned PP is permitted to treat the witness as partly hostile).

CROSS-EXAMINATION BY LEARNED PP:

6. It is true to suggest that A1 who is produced before Court through VC by name Vicky was also working under me. It is true to suggest that on 25-06-2022, I have paid the wages to A1, deceased Raghavendra and other workers. On next day, it was Sunday and thus, they have not worked. It is true to suggest that I was getting work done even in the site belonged to Krishnappa and 1st floor work was being done at that building at the time of alleged incident. It is true to suggest that on 27-06-2022, Ranjith S/o. Krishnappa called me and he told that both Vicky and Roni were not there in that property. It is true to suggest that A1 had given one mobile No.9091459019 to me. It is true to suggest that when I called said number, it was switched off.

7. It is true to suggest that I learnt that for some matter, there were quarrels between A1, absconded A2 and deceased Raghavendra and in that quarrel, A1 and absconded A2 have assaulted on the head of Raghavendra and caused his death. It is true to suggest that on 27-06-2022, I have stated the above facts before IO.

8. It is true to suggest that on 11-07-2022, I was called to Hosakote Police Station. It is true to suggest that in that Police Station, police had shown A1 and I identified him as the worker who was working under me. It is true to suggest that in this regard, I have given statement on 11-07-2022.

**CROSS-EXAMINATION BY SRI.MCP ADVOCATE FOR
ACCUSED:**

9. I do not know reading and writing Kannada language. I have not gone to School and learnt reading and writing. There were no written agreements between me and CW.14 or between me and Krishnappa but, there

were oral agreements.

10. At the time of this alleged incident, only A1, absconded A2 and deceased Raghavendra were working with me. I have given their names and details to the IO. It is true to suggest that I have not stated so before IO. There was distance of about 1-2 sites in between the property of Krishnappa and CW.14.

11. One Kranthi was working under me not at Hosakote but at some other place and he introduced A1 and absconded A2 to me. I do not know in whose name, SIM card of mobile No.9091459019 was standing. One Beerappa informed about lying of dead body to Ranjith; Ranjith in-turn informed it to me.

12. On 27-06-2022, Police have not enquired me about the description of A1 and absconded A2. I have given details of A1 and absconded A2 to the police immediately after I had been to Police Station. I do not

know the name and designation of the IO with whom I have given statement.

13. Second time, police have only called me through phone to come to the Police Station but, they have not issued written notice to me. Only A1 was shown in the Police Station and along with him, no other persons were shown to identify Vicky.

14. It is false to suggest that I cannot say exactly that on 11-07-2022 whether A1 was shown to me or any other person was shown to me in the Police Station. It is false to suggest that because I had not seen A1 on that day in the Police Station, I have not properly identified him in my examination-in-chief. It is false to suggest that I have not given any information to police pertaining to this case. It is false to suggest that, as the face was contused in Ex.P.7 to 15, I cannot identify said person as deceased Raghavendra.

RE-EXAMINATION:Nil

(The deposition of the witness is typed to my dictation in
the open court)

R.O.I. & A.C.

(Smt.Geetha K.B)
Prl. District and Sessions Judge,
Bengaluru Rural District,
Bengaluru.