

**IN THE COURT OF II ADDL. DISTRICT AND SESSIONS**  
**(SPECIAL) JUDGE MANGALURU, D.K.**

Sessions Case: 66/2020

PW: 1      (CW: 3)

Witness present and Duly Sworn on: 12.01.2026

|                            |   |                      |
|----------------------------|---|----------------------|
| <b>Deposition of</b>       | : | Sujan H.C.           |
| <b>Father/Husband Name</b> | : | Chandrashekar        |
| <b>Age</b>                 | : | 35 years             |
| <b>Occupation</b>          | : | HC-620 of Barke P.S. |
| <b>Resident Of</b>         | : | Mangaluru.           |

**Examination in Chief by Public Prosecutor :-**

1. From 2012 to 2021, I had worked in Moodabidre P.S.

2. On the intervening night of 02/03.11.2016, I and CW.4 were in station duty. At 1.45 a.m. on 03.11.2016, CW.1-P.I. came to police station and called CW.2 to police station. CW.1 told us he had received a credible information about transporting of cattle illegally. CW.1 secured two panchaas CW.6 and CW.7 to police station. We all left in Department jeep and reached Maroor cross. We placed barricades on the road and inspecting vehicles. Around 4.00 a.m. vehicle bearing Reg.No.KA-21-C-8566 came, CW.1 announced in Megha phone to stop the vehicle, we also showed torch signal

to stop the vehicle. P.I. had already instructed PSI-Dejappa to inspect the vehicle at Balipa Baghavatha house. When we gave signal to stop the vehicle, the driver did not stop the vehicle and ran. CW.1 gave wireless message to PSI-Dejappa to stop the vehicle. PSI-Dejappa gave information that the aforesaid vehicle veered and proceeding towards us. The aforesaid vehicle came near us, we parked our vehicle on the road and CW.1 made announcement in Megha phone to stop the vehicle. I and CW.4 were near barricade, the vehicle came almost near to us, when the vehicle came with high speed, CW.1 asked CW.4 to fire in the air, CW.4 fired and gave warning to the driver of the vehicle to spot, but he did not stop the vehicle, CW.4 once again fired. Driver and another person were in the vehicle. The driver without stopping the vehicle turned vehicle towards Moodabidre, we chased the vehicle in our Government vehicle and held the vehicle at Padu Konaje. I saw faces of both the persons in torch light. After stopping vehicle both alighted from the vehicle and ran towards paddy field. Though we made a search, we did not find them. We inspected vehicle bearing Reg.No.KA-21-C-8566, it was qualis vehicle. Inside vehicle there were Seven cattle. All the cattle were tied in rope and kept inside vehicle. We also found two monkey caps, two torches and two mobiles on the front left side seat. We also found wheel alignment receipt pertaining to same vehicle. By that time CW.16-Dejappa also came there. CW.16 prepared mahazar in the presence of panchaas and

seized vehicle, cattle, monkey caps, mobiles and receipts. I now see Mahazar, it bears my signature. The same are marked as Ex.P1 and a(a).

3. I can identify vehicle, cattle, mobiles, monkey caps and receipt. Witness identifies vehicle in Three photographs. Three photographs together marked as Ex.P2. Witness identifies cattle in Seven photographs. Seven photographs together marked as Ex.P3. Witness identifies two mobiles. The same are marked as MO.1 and 2. Along with mobiles Four SIM cards are also enclosed. Four SIM cards together marked as MO.3. Witness identifies Two torches. Two torches marked as MO.4 and 5. Witness identifies Two monkey caps. The same are marked as MO.6 and 7.

4. I can identify Two persons who ran away by leaving the vehicle. I came to know names of two persons after taking bail as Naufal and Irshad. Witness identifies both who present before Court.

**Cross-examination by Sri. PPH Advocate for Accused Nos.1 and 2:-**

5. Now I do not remember name of SHO on the intervening night of 02/03.11.2016. On the said night, I, CW.4, two sentries, SHO were present. There is an entry in the station dairy to show I was on duty on that day. There is also

an entry to show we went out side duty on the said night. CW.1 before coming to police station called panchaas and came to police station. Panchaas came to police station around 1.30 a.m. Panchaas are residing in a distance of 1 ½km from police station.

6. In Maroor cross there is cross road which leads to Maroor. We were standing exactly on Maroor cross wherein cross road is situated. Panchaas were sitting inside jeep. CW.1 was standing out side, driver was sitting in the jeep, I and 610 were standing near barricade. Before Qualis came to spot, we inspected 3-4 other vehicles. CW.1 gave vehicle number to us in police station. We have not maintained book or register to note down numbers of vehicles. Qualis did not cross barricade, it took towards Maroor cross. We were standing on the Moodabidre-Shirthady main road. We were not standing on Maroor cross road. The speed of qualis vehicle was around 60-70kmh. Now I do not remember head light of qualis was dim or dip. I and P.I. were holding torch. We did not chase qualis at that time, P.I. gave wireless message to CW.16-Dejappa. The distance between Maroor cross and place wherein Dejappa was standing is 4-5kms. Within 10 minutes CW.16 gave message, the qualis vehicle returned back. At this stage jeep was parked facing towards Moodabidre, I and CW.4 were standing at one side and P.I. was standing other side, panchaas were inside vehicle. We put one barricade. The

width of the road on the spot is two vehicles can move. Barricade was put in the center of the road. I cannot say headlight of qualis vehicle was in dim or dip when it came back. We saw the vehicle in a distance of 200-300mtrs as road was straight. The vehicle came with a speed of 50-60kmh. Qualis vehicle did not hit barricade since we made fire. When the vehicle was in a distance of 100mtrs, CW.4 fired on the direction of CW.1. Inspite of fire, the qualis vehicle proceeded from the left side of barricade. I was in center of the barricade. CW.4 was with me. CW.1 was near jeep. Police jeep was parked towards left side of barricade. The distance between barricade and jeep was 30-50mtrs. CW.4 fired second time when the vehicle came in a distance of 25mtrs. We chased qualis vehicle for about 2-3kms. The time of first firing and crossing barricade by the qualis vehicle is within 2-3 seconds. We chased qualis vehicle in the same road. There are now houses on the spot wherein we held qualis vehicle. We chased two persons after they alighted but we could not able to hold them. We also made search but we did not find. After 30 minutes, CW.16 came to the said spot. Till Dejappa came to spot, we were searching said two persons. After Dejappa came to spot, we inspected vehicle. We held qualis vehicle at around 6.30-7.00 a.m. No one was present on the spot. No one came to spot while conducting mahazar, but, people were moving on the road. CW.16 conducted mahazar first at Maroor cross. Mahazar was commenced at Maroor cross at 8.20 a.m.

Barricade was not seized when mahazar was conducted at Maroor cross. I do not remember for how much time mahazar was conducted at Maroor cross. We were on the place wherein qualis was held for more than 45 minutes.

7. On the same day my statement was recorded. I have not given physical features of two persons to IO. I had not seen said two persons earlier.

8. It is false to suggest that CW.1 did not take me, CW.4 and panchaas to Maroor cross on 03.11.2016 early morning, we did not encounter vehicle bearing Reg.No.KA-21-C-8566, the said vehicle did not run towards Maroor cross road, again the said vehicle did not come back as CW.16 was waiting for the vehicle at Balipara Bagavatha House, when vehicle came once again to Maroor cross, CW.1 did not ask CW.4 to fire, CW.4 did not fire two times to stop the vehicle, inspite of that the vehicle proceeded towards Moodabidre, we did not chase vehicle and hold after 2kms, two persons in the vehicle did not escape from us. It is false to suggest that CW.1 and CW.16 did not inspect the vehicle, we did not find Seven cattle, two mobiles, two monkey caps and one receipt and two torches. It is false to suggest that CW.16 did not prepare mahazar with the assistance of CW.6 and 7 and did not seize aforesaid articles as per Ex.P1. It is false to suggest that Accused who were present were not in the qualis vehicle on that day.

**Re-examination: Nil.**

(Computerized to my dictation in the open court)

ROI & AC

II Addl District and Sessions Judge,  
Mangaluru, D.K.