

IV ADDL. DISTRICT AND SESSIONS JUDGE HASSAN
(SIT AT CHANNARAYAPATNA)
Sessions Case: 236/2024

PW: 1

Witness present and duly sworn on : 27.06.2025

Further Examination in chief by Public Prosecutor:

12) (Sealed 4 Compact Discs opened in the open court in the presence of Ld PP and L/c for accused). The CD played in the open court in the DELL laptop brought by the IO / Prosecution. The witness verified the video and deposed that Spot mahazar and seizure of the blood stained mud and control mud was conducted in his presence and also in the presence of other witnesses Ravi and Anand. The procedure is visible in the video now played in the court. All the 4 CDs are collectively marked as **Exp4**. The mahazar was computerized in the laptop and taken print out and obtained our signatures. Thereafter body was sent to hospital. The mahazar procedure was completed at 7.30 pm.

13) I can identify the RTC of my garden land. RTC of Sy No.61/1 of Hirisave Village for the year 2024-25 is marked as **Exp5**. About 15 days back from the date of incident, the neighbouring land owner has telephoned me

and informed that, accused and deceased fought in connection with deceased Kempadevamma was having telephonic conversation with one Manjunath from Bengaluru. After knowledge of the quarrel, I visited the garden land and advised them. Thereafter on 21.07.2024, both accused and deceased fought again for the reason of visit and stay of Manjunatha in their house for one night. Accused suspects the illegal relationship between Manjunath and Kempadevamma and for that reason he murder her.

14) I can identify the accused-Nataraja Naika present before the court.

(at this stage, at the request of Public Prosecutor this witness has been treated as partly hostile and permission is accorded for cross examination)

Cross-examination by Public Prosecutor:

15) It is true to suggest that in the complaint I have mentioned that after seeing dead body I have called accused Nataraja Naika over the phone. He informed that he is in his village and disconnected the phone call. It is true to suggest that in the complaint I have mentioned that the father of the

deceased has informed me that on 23.07.2024, at 5.30 pm, accused was assaulting deceased Kempadevamma and he pacified the quarrel. It is true to suggest that in the said complaint I have mentioned that I have called accused several times, but he has not responded to my phone calls.

Cross-examination by Smt. SDC Advocate for the accused :

16) I am an Agriculturist. I am not a businessman. On 24.07.2024, I was in Hassan. On that day I along with Ravi visited our lands. At 3.15 pm, we visited the shed house situated in my garden land. After visiting shed house on the information given by the father in law of the accused I have gone to garden land in search of the accused and Kempadevamma. From the shed house I have gone towards southern direction. At 3.30 pm, I have seen broken maize plants.

17) It is true to suggest that I need an assistance of some other person to make a call. On the date of incident I have not taken assistance of any person to call accused person. I have called Kempadevamma by taking assistance of Ravi. Said Ravi is my car driver. Said Ravi is resident of

Channarayapatna. Said Ravi was there at the spot as I have taken him as my car driver. On that date I have taken Ravi from Channarayapatna to Hassan hospital and from Hassan we have gone to my garden land in the car.

18) Immediately after seeing the dead body I have gone to Police Station. Thereafter police have visited the spot. It is true to suggest that, on 27.04.2024, I have sent the accused along with Babu to Bookanabetta market to sell coconuts. One Ganganna has introduced accused and his family. It is false to suggest that, I have not visited the garden land on the date of incident. It is false to suggest that I have not got any information about the alleged murder committed by the accused person.

19) It is true to suggest that I have advised the accused and Kempadevamma when they were quarrelling each other. On that day I have not lodged any complaint with the police. On the date of giving advise, there were accused, his wife, their son and father of the deceased present. I have no impediment to lodge complaint with police about the dispute between deceased and the accused.

20) I have got 1 acre 30 guntas in Sy No.61/1 and 1 acre 20 guntas in Sy No.62/1 of Hirisave Village. I have not stated in my complaint that, I am owning 5 acres land. I have stated in my complaint that, my land situated adjacent to Belagihalli Village. After lodging complaint, I again gone to spot of incident along with the police.

21) It is true to suggest that I am not visible in the one of the photos at Exp3, witness volunteers that we were standing behind them and not covered in the photo. In one of the photos at Exp3 my signature was taken by the police in front of the shed house. I have seen the dead body lying towards eastern side. The dead body was lying in prone position. I can say the boundaries of the spot of incident. Pathway is situated towards North and my lands situated towards all the three sides.

22) I have not seen Manjunatha. It is false to suggest that, the cloths at MO.3 to 5 are not in a wearable condition, witness volunteers that, on the date of incident the deceased worn those cloths. On the jerkin worn by the deceased on

the date of incident the words 'ನವೋದಯ' was there. On verification of MO.3 the witness deposed the the words Navodaya is not visible on the jerkin. I was fostering one cow in my garden land. The rope at MO.6 was present on the neck of the dead body. There is no special mark on the MO.6 rope. It is false to suggest that even though I have no personal knowledge of accused committing the murder, I have falsely implicated him in his case. I have saved the deceased cell number as Kempamma Nataraj. It is false to suggest that on 24.07.2024, accused was not at all present at the spot of incident. I was paying Rs.18,000/- salary to the accused. I used to pay the salary to the account of accused and deceased. It is false to suggest that I have not paid four months salary to the accused. It is false to suggest that, in order to wriggle out from the situation of dead body found in my lands and to avoid payment of salary to the accused, I have lodged false complaint against him.

23) It is false to suggest that accused was working as cleaner in the lorry belongs to my son. It is false to suggest that my son has not paid the salary to the accused person. It is false to suggest that in order to avoid payment of money I

have made false allegation against the accused person and sent him to jail. It is false to suggest that my lands are different from land in RTC at ExP5.

(Further cross-examination is deferred on request.)

(Computerized to my dictation in the open court)

ROI & AC

IV Addl. District and Sessions Judge
Hassan (Sit at Channarayapatna)