

IN THE COURT OF THE PRL SESSIONS JUDGE, SHIMOGA.

SPL.C 587/2022

PW - 2

CW- 7

Name of the witness: Sri.Nithin

Father's name : Krishnamurthy

Age : 29 Years.

Occupation : PC No.1504 of Tunganangara PS

Residence : Shivamogga

Duly sworn on: 17.12.2024

Examination-in-Chief by Public Prosecutor :-

1. From 2017 to 2024 I served as a Police Constable in Doddapete Police Station.
2. On 30-11-2021, at about 2.15 p.m. when I was in the police station, CW-1 informed me and other staff about the credible information received by him regarding sale of ganja at 3rd Stage, Gandharva Nagara layout. CW-1

secured me and CW-4 to 6 and 8 and 9 and we went to New Mandli Government School on NT road and secured CW-2 and 3 as panchas and along with them we reached 3rd Stage, Gandharva Nagara at about 3.30 p.m.

3. After we reached there, we saw 2 persons standing there and other people surrounded them. One of those 2 person was having plastic cover with him and another was collecting the amount from the people gathered there. CW-1 got the confirmation that, those 2 persons were selling the ganja and accordingly conducted the raid and caught those 2 persons.
4. On enquiry by CW-1, those 2 persons disclosed their name as Sikandhar and Asif @ Thandapaani. Accused No.1 Sikandhar was having a plastic cover with him and CW-1 searched the said plastic cover and found ganja leaves in the said cover. When it was measured it was weighing 1 kg 150 gms. CW-1 took 24 gms of ganja in 2 separate

packets as a sample and packed and sealed it separately and affixed the chit containing signatures of panchas on the sample packet.

5. Thereafter CW-1 has drawn a mahazar at the spot as per Ex P-2. Signature of the witness on Ex P-2 is marked as per Ex P-2(b). During the course of seizure and mahazar, photos were snapped as per Ex P-3 to P-6. I will identify the sample ganja packets and it is already marked as MO-1 and 2. I will identify the accused No.1 and 2 who are now present before this court.

Cross examination by Sri.GCK Advocate for A1 :-

6. There will be 2 batches in our police station who will be deputed for routine duties. 1st batch will be on duty from 9.00 a.m. to 9.00 p.m. 2nd batch will be on duty from 9.00 p.m. to 9.00 a.m. on the next day. We will put our signature on the Station House Dairy when we appear for the duty.

7. Gandharva Nagara is about 1 km from Doddapete police station. Government School New Mandli is about 800 mtrs from our police station. It is true that, there will be movement of vehicle on the way when we reached Gandharva Nagara from our police station. We have took the camera, weighing machine and laptop with us when we went to the spot.
8. We saw the accused No.1 and 2 at the distance of about 50 mtrs. We have not taken any photos of the accused and people surrounded them when we saw them at the distance of about 50 mtrs. I have not seen CW-1 seizing any amount from the accused. I was not wearing the uniform at the time of raid since I was deputed to crime duty. Date and time is not appearing on Ex P-3 to P-6 photos.
9. It is true that, I have put the signature for the mahazar in the police station. We five police officials have put the

signature for the mahazar. On the Eastern side of the said property there is road leading to NT road and on the West road leading to Iliyaz nagar and towards South vacant site kept for construction of hostel and towards North road leading to 15th cross. The mahazar was written in between 3.30 p.m. to 4.30 p.m. It is false to suggest that, since CW-1 is my official superior, at his instance, I depose falsely before this court. It is false to suggest that, the accused are not connected to the seized materials.

Cross examination by Sri.HGN Advocate for A2 & 3:-

10. Counsel for the accused No.2 and 3 submitted that, he will adopt the above cross examination.

Re-examination :- NIL.

Typed to my dictation in the open court.

R O I & A C

(Manjunath Nayak)
Prl. District & Sessions Judge,
Shivamogga.

