

Further Examination-in-Chief by learned P.P.:-

The witness identifies accused No.3 Murali Mohan.

On 31.05.2021, at 10.30am we had drawn the spot mahazar in the place of the incident i.e., Garudanahalli Village, in Sy.No.103 and at that time two pieces of bricks were seized and photos were taken during the mahazar. The witness identifies M.O.1 and M.O.2 and also identifies the photos which is already marked as Ex P5. Now I see the spot Mahazar which is already marked as Ex.P3 and I identify my signature as Ex.P3(c). I had produced the accused No.3 before this court on the same day.

On the same day I had sent the requisition to the Tahasildar, Kolar for issuance of caste certificate of complainant and Accused persons. On the same day I had recorded further statement of Pw-1 Sathish and statements of Pw-5 Ashwin and Pw-3 Lokesh.

On 03.06.2021, I was transferred and the case file was handed over to Cw-14 K.C.Giri.

Cross Examination by Sri.MH learned counsel for the Accused.

It is true to suggest that, my investigation discloses that, there were civil dispute between the Pw-6 Ramachandrappa and the accused persons.

I do not know whether there was any civil case pending before any court. I am not able to recall whether there was any counter case between these parties. I do not know whether the accused No.1 is government employee. I have seen accused No.3, other than that, I have not seen any other accused.

From the records which I had received from Pw-9 Kiran. I do not find there was any counter case. The distance from the Kolar rural police station to Garudanahalli Village is around 8 to 9 kms. The complainant was along with me and he had identified the Sy.No.103. I do not know the total measurement of the Sy.No.103. There are other agricultural land around the Sy.No.103. There is road at little distance from the Sy.No.103. It was around 100 meters.

The Pw-1 had shown the brick pieces. There is a residential house adjacent to Sy.No.103. I do not know to whom that house belongs.

It is false to suggest that, two bricks pieces, the mahazar drawn and photos taken are false.

It is false to suggest that, the entire mahazar was drawn in the police station.

It is false to suggest that, the Ex P3 and Ex P5 were created at the instance of Pw-1.

It is false to suggest that, I had not recorded the statements of any of the witnesses.

Accused No.3 was arrested by PSI. I have followed the direction of Hon'ble Supreme Court regarding the arrest of accused. I had handed over the entire case file to my successor.

It is false to suggest that, I had not followed the direction Hon'ble Apex Court

It is false to suggest that, in order to help the complainant, I have created the documents in favour of Pw-1.

It is false to suggest that, I do not know whether there was any counter case to this case.

(The counsel for the accused submits no further cross examination of the Pw-10)

(Computerized my dictation in open court hall.)

R O I & A C,

(DIVYA P.K)

II Addl. Dist. & Sessions Judge, Kolar.