

ಪ್ರಧಾನ ಜಿಲ್ಲಾ ಮತ್ತು ಸತ್ರ ನ್ಯಾಯಾಧೀಶರ ನ್ಯಾಯಾಲಯ ಹಾಗೂ ಭ್ರಷ್ಟಾಚಾರ ನಿಗ್ರಹ ಪ್ರಕರಣಗಳ
ಅಧಿವಿಚಾರಣ ವಿಶೇಷ ನ್ಯಾಯಾಲಯ, ಕೋಲಾರ

Spl. C. (P.C.) 04/2020

ಪ್ರಾಸಾ: 10 ಚಾಸಾ: 21
ದಿನಾಂಕ: 08-06-2026

ಹೆಸರು :: M.L Purushotham
ತಂದೆಯ ಹೆಸರು :: M Lakshman Gowda
ವಯಸ್ಸು :: 59 years,
ಉದ್ಯೋಗ :: Addl. SP, Tumakur District.
ವಾಸ ಸ್ಥಳ :: Tumakur

ಸಾಕ್ಷಿಗೆ ಪ್ರಮಾಣವಚನ ಬೋಧಿಸಲಾಯಿತು.

Examination in chief: By SPP by name T.Amarendra:

1. From 02.11.2018 to 19.04.2021 I served as Dy.SP, ACB Police station, Kolar. On 02.11.2018 at 2.00 p.m. when I was in the station PW-1 Mallikarjuna Reddy came to station along with a typed complaint and a document. He further submitted that he has recorded the voice conversation between himself and accused BEO Suresh. Based upon his complaint I registered the case at ACB P.S Cr.No.20/2018. The documents now shown to me are the complaint, document produced by PW-1 along with complaint and also the FIR registered by me. The complaint and the document produced along with it are already marked at Ex.P.4 and Ex.D.1 respectively. The FIR is already marked at Ex.P.3. Signature of witness on it is marked at Ex.P.3(a). The signature of witness on Ex.P.4 is marked at Ex.P.4(b). Thereafter I sent Ex.P.3, 4 and Ex.D.1 in sealed cover to the Hon'ble Court through CW-17. On

same day I entrusted the case for investigation to CW-22 the Police Inspector, ACB.

2. On 05.11.2018 I again took over the investigation of this case from CW-22. On that day I recorded the statements of CW-15, 16, 17, 18 and CW-20.

3. On 16.11.2018 I sent article No.2 to 8 mentioned in PF.No.37/2018 and 38/2018 to Chemical Examiner, Public Health Department, Sheshadri Road, Bengaluru for examination through staff CW-19. On same day CW-19 produced the acknowledgment issued by the Chemical Examiner. The acknowledgment is made by putting seal on the office copy of the letter. The document now shown to me is the letter under which the said articles are sent for examination and bears the acknowledgment. It is marked at Ex.P.36 and the signature of the witness is marked at Ex.P.36(a). The copy of receipt issued by Chemical Examiner is now shown to me. It is marked at Ex.P.37.

4. On 17.11.2018 I sent the compact discs at article No.1, 9 and 10 (in PF No.37/2018 and 38/2018) to FSL for examination of voice through CW-19 along with all other relevant records. The documents now shown to me are the requisition and other documents sent along with it. The said documents are at page No.100 to 114. They are jointly marked at Ex.P.38 and signature of witness on the requisition is marked at Ex.P.38(a). On same day the messenger CW-19 produced before me the acknowledgment issued by the FSL authority. The document now shown to me is the

said acknowledgment. It is marked at Ex.P.39 and signature of witness is marked at Ex.P.39(a). CW-22 had handed over me the three compact discs in sealed cover. The CDs now shown to me are the very CDs sent by me for FSL examination. Witness identifies those CDs with reference to article numbers and description. Those CDs at article No.1, 9 and 10 with seal of FSL authority are marked at Ex.P.40 to 42 respectively.

5. On 29.11.2018 I received the letter now shown to me of Deputy Director (Administration) Public Instructions, Kolar regarding scope of work of accused. It is marked at Ex.P.43 and signature of witness on it is marked at Ex.P.43(a). On same day I recorded the statements of CW-9 and 10.

6. On 03.01.2019 I received the sketch of scene of offence sent by the CW-11 Engineer. It is already marked at Ex.P.31. (The covering letter of it of the PW Department is treated as part of Ex.P.31) On same day I recorded the statement of CW-11.

7. On 20.11.2018 the Deputy Director of Public Instructions, Kolar under his letter sent some certified documents which are now shown to me. Those documents including covering letter are at page No.117 to 121. They are jointly marked at Ex.P.44.

8. On 25.01.2019 CW-23 took charge of the post of Inspector on transfer. Hence I handed over the further investigation of the case to CW-23. CW-22 Prakash had taken the charge of inspector only for 5 days on deputation.

Cross examination: By Sri. MH advocate for accused.

9. It is true to suggest that in Ex.P.4 there is no mention of producing Ex.D.1 along with it. It is true to suggest that seal, small signature with date as found in Ex.D.1 at the bottom of contents is not found in Ex.P.1. It is true to suggest that the date at the top right side of Ex.P.1 is overwritten while writing the month - '06'.

10. When PW-1 approached me along with complaint at that time I did not hear the voice conversation which he said to have recorded in his Asus mobile phone. I have not seized the said mobile phone. Immediately after registration of the case at 2.00 p.m. I have handed over the investigation to CW-22 Prakash. When I entrusted the investigation to CW-22 the mobile phone of PW-1 was with him.

11. During my investigation period I have not received the sanction order for prosecution of accused. It is true to suggest that at page No.118 of Ex.P.44 the disciplinary authority named is Commissioner, Public Instructions, Bengaluru. It is incorrect to suggest that I have neither recorded statements of any of the witnesses nor sent any of the articles for examination. It is incorrect to suggest that I have not received Ex.P.31 sketch.

Re-examination: Nil.

(ನನ್ನ ಉಕಲೇಖನದ ಮೇರೆಗೆ ತೆರೆದ ನ್ಯಾಯಾಲಯದಲ್ಲಿ ಸಾಕ್ಷಿಯು ಹೇಳಿದಂತೆ ಅವರ ಹೇಳಿಕೆಯನ್ನು ಗಣಕಯಂತ್ರದಲ್ಲಿ ಬೆರಳಚ್ಚು ಮಾಡಿ, ಪುನಃ ಓದಿ ಹೇಳಲಾಯಿತು ಮತ್ತು ಸಾಕ್ಷಿದಾರರು ಸರಿ ಇದೆ ಎಂದು ತಿಳಿಸುತ್ತಾರೆ.)

ಓ. ಹೇ. ಕೇ. ಸ. ಇದೆ,

(ವಿಜಯಕುಮಾರ್ ಎಂ. ಆನಂದಕಟ್ಟಿ
ಪ್ರಧಾನ ಜಿಲ್ಲಾ ಮತ್ತು ಸತ್ರ ನ್ಯಾಯಾಧೀಶರು, ಕೋಲಾರ