

IN THE COURT OF THE
ADDL. DISTRICT AND SESSIONS JUDGE, KOPPAL
(SITTING AT GANGAVATHI)

S.C. No.11/2022

Duly sworn on: 03.10.2023

Deposition of : Mothilal
Father name : Nanappa
Age : 62 Years
Occupation : Retired Work Inspector, Irrigation
Dept.
Residence : Kuntoji, Muddebihal Taluk.

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

1. For about 12 years, I have worked as Work Inspector at Maski Irrigation Department till May-2022. I know CW8 to 11. CW8 to 11 were working as Gangman.

2. On 24.10.2020, at about 9.00 am, when I was at PWD Camp at Maski, CW8-Veeresh S/o Hanumanthappa called me over my phone and informed me that, in Chainage No.196, 55th Distributor / Upkaluve of Tunga-Bhadra left bank Canal of Udbal Area, he has found one dead body of male boy is floating in the water from Durga Camp, they have lifted the dead body to the bank of the Canal and found that, both the hands of male boy was tied with small coir rope and they have

found injuries on left and right side of the dead body. Upon receiving the information, I have visited the spot after informing the same to higher officials. Upon visiting the spot around 10.00 am, I have found the dead body with injuries on both sides of the head. The hands and legs of the dead body were tied with small coir rope. I have also found Jeans pant, white color banion, light blue color T-shirt and chocolate color underwear on the dead body. Dead body was having red color waist thread and red color thread on the wrist of right hand. The dead body was having height around 4.5 ft. Upon seeing the dead body, I thought that, the boy has been murdered and thrown into Canal by tying the hands and legs. I have informed the same to higher officials, visited the Balaganur Police Station, Sindhanur Taluk and given information to the Police. Witness identifies his signature on the Complaint. The Complaint is marked as Ex.P.-1. Signature of witness is marked as Ex.P.-1(a). CW3-Chandapasha has written the complaint as per my instructions and I have affixed my signature after read over the contents of complaint to me. Later, I came know through the Police that, deceased is one Mallikarjun of Karatagi.

3. On the same day, at about 01.30 pm Police came

to the spot and conducted spot Panchanama at the spot where the dead body is found. Police have also collected water from the Canal in a plastic bottle. Police have taken photographs at the time of spot panchanama. Witness identifies the dead body in five photographs. The same are marked as Ex.P.-2 to 6. Witness identifies himself in Ex.P.-2 and 3. I have given statement to the Balaganur Police, Sindhanur Taluk after spot mahazar at the Police Station.

4. On 29.10.2020, Sindhanur Police called me to their Police Station. CW16-Mehaboob aged around 11 years was informing to the Police by stating that, when himself and deceased Mallikarjun were playing together at Karatagi, two persons came in bike and took Mallikarjun to some place. I have given the further statement to the Police. 9 sealed white cloth covers are opened in the open Court with permission of the Court. Witness identifies 1) Light blue color T-shirt, 2) Blue color Banion, 3) Blue color Jeans Pant, 4) Chocolate color underwear, 5) Red color waist thread, 6) Red color wrist thread, 7) Small coir rope, 8) Small coir rope and 9) one litre Water bottle. The same are marked as M.O.-1 to 9. Witness volunteers that, M.O.-7 was tied with the hand and M.O.-8 was tied with the legs. I do not

know the parents of deceased Mallikarjun and the persons who are involved in his murder. Karatagi Police have not enquired me and I have not given statement to them.

(At this stage Public Prosecutor prays for permission to treat this witness partly hostile. Permission granted.)

Cross-Examination by Learned Public Prosecutor:

5. It is true to suggest that, on 28.02.2021, upon reading the News Paper, I came to know that, deceased Mallikarjun is the son of accused No.3, accused No.3 had illicit relationship with accused No.1 and 2, as the deceased had seen accused No.3 with accused No.1 while having sexual intercourse, in order to hide the same, the accused No.1 to 3 have conspiracy, accused No.1 and 2 took deceased Mallikarjun in their Motorcycle to Tunga-Bhadra left bank Canal, near Mylapur and they have thrown the deceased by tying hands and legs. I do not remember whether I given statement to Karatagi Police in that regard.

Cross-Examination by Sri KAR, Advocate for Accused No.1 and 3:

Counsel for Accused No.1 and 3 prays time. No grounds made out for adjournment. Hence, cross-examination is taken as nil.

Cross-Examination by Sri URV, Advocate for Accused No.2:

Counsel for Accused No.2 prays time. No grounds made out for adjournment. Hence, cross-examination is taken as nil.

Re-examination: Nil.

(Typed to my dictation in open Court)

R.O.I. & A.C.

(Sadananda Nagappa Naik)
Addl. District and Sessions Judge,
Koppal (Sitting at Gangavathi).