

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

SPL.C.SC/ST No.73/2024

Duly sworn on: 28.05.2025

Deposition of : Jamadagni
Father : Sanna Hulugappa
Age : 41 Years
Occupation : Agriculturist
Residence : Karatagi

Examination in Chief by Learned Public Prosecutor:

1. I know CW7 to 17 and 19 to 21. I know Accused No.1 to 8 who are present before the Court and they are from my village. Accused No.1 is the aunt of CW7. Accused No.2 to 8 are relatives of CW7.

2. On 10.12.2023, CW7 asked us to come behind CMM College, Siddalinganagar, 8th ward of Karatagi in order to solve the matter with respect to one plot. I and CW7 to 17 went to the spot at 02.30 pm. CW19 to 21 had also come along with us. CW7 and 19 to 21 shown the plot to us. At that time, Accused No.1 Laxamma and Accused No.2 to 8 and one Manjunath came to the spot. There was oral altercation between the Accused persons and CW7 & 19 to 21 with respect to the plot. Myself and CW8 to 17 were present during the said altercation.

3. The Accused No.5 and 6 have kicked on the stomach

of CW7 and 20. They have twisted the little finger of right hand of CW7. They have pushed CW7 and 20 into a pit. Accused No.2 has kicked on below right knee of CW19 with his right leg. Accused No.2 has assaulted on the head of CW21. The Accused persons have abused the caste of CW19 and 20 by stating that, "ಬೇಡರ ಸೂಳೇ ಮಕ್ಕಳೆ". At that time, the Accused persons by looking at me, CW8 to 17, they have questioned CW7 by stating that, "ಹೊಲೆಯ ಮಾದಿಗ ಸೂಳೇ ಮಕ್ಕಳನ್ನು ಕರೆದುಕೊಂಡು ಬಂದು ನಮ್ಮನ್ನು ಬಡಿಸುತ್ತೀಯಾ?". The Accused persons have abused our caste and threatened myself and CW8 to 17 by stating that, "ಲೇ ಹೊಲೆಯ ಮಾದಿಗ ಸೂಳೇ ಮಕ್ಕಳೆ, ನೀವು ನಮ್ಮ ಜಗಳದಲ್ಲಿ ಅಡ್ಡ ಬಂದರೆ ನಿಮ್ಮನ್ನು ಚಪ್ಪಲಿ ತೆಗೆದುಕೊಂಡು ಬಡಿತೀವಿ, ಕೈ-ಕಾಲು ಮುರಿತೀವಿ". CW7 and 21 belongs to Kuruba community. At that time, the Police came to the spot in 112 vehicle. At that time, CW7, 19 to 21 went to Karatagi Government Hospital to take treatment. Later, after discussing with elders, on 11.10.2023, at about 02.00 pm, we have filed a complaint against Accused persons. There is a delay in filing the complaint as the elders informed us that, they will try to solve the matter. Witness identifies the complaint. The same is marked as Ex.P.-1. Witness identifies his signature on Ex.P.-1 and the signature of witness is marked as Ex.P.-1(a).

4. On 11.10.2023, Police have visited the spot at 04.30 pm. I have shown the spot to them. Police have conducted

the spot mahazar at 04.30 pm. Witness identifies the spot mahazar. The same is marked as Ex.P.-2. Witness identifies his signature on Ex.P.-2 and the signature of witness is marked as Ex.P.-2(a). Police have taken Photographs at that time. Witness identifies himself, Police & CW2 and 3 in the Photographs. The same are marked as Ex.P.-3 and 4.

5. CW21 has recorded the video at the time of the incident. Witness identifies the DVD submitting that, the same is containing the video recorded by CW21. The DVD is marked as Ex.P.-5. The Ex.P.-5 DVD is played in DELL Vostro-15, Laptop No.13069682462, Mfg., year-2017 belonging to Dy.S.P. Office, Gangavathi, in the presence of both the counsels. The DVD is containing 2 videos. 1st Video is length of 01 minute and 07 seconds and 2nd Video is length of 03 minute and 59 seconds. The same are marked as Ex.P.-5(a) and (b). The videos are not containing video footage or voice on abuse of our caste made against us. Witness identifies himself and Accused No.1 the Ex.P.-5(a). Witness identifies the Accused No.2 at 00:00:35 of Ex.P.-5(a) video having white shirt and holding mobile in his right hand. Witness identifies the Accused No.3 at 00:00:35 of Ex.P.-5(a) video submitting that, she is standing behind Accused No.1. Witness identifies the Accused No.5 and 6 at 00:01:05 of Ex.P.-5(a) video. Witness identifies the Accused No.7 at 00:00:57 of Ex.P.-5(a) video submitting that, she is standing behind Accused No.2. Witness identifies himself, CW10 to

12, 14, 15 & 19 in Ex.P.-5(a). Witness identifies the Accused No.4 at 00:03:07 of Ex.P.-5(b) video. The Accused No.8 is not found in Ex.P.-5(a) and (b) videos. On 12.12.2023, Police have called me to the Police Station and I have given statement to them.

Cross-Examination by Sri BNN Advocate for Accused persons.

6. I have studied M.A., B.Ed. I know CW7 Kavya for about 5-6 years. Accused No.1 is the aunt of CW7. I do not know the pending civil cases between the Accused No.1 and CW7. It is true to suggest that, CW7 is an Accused in many criminal cases. CW7 came to one Daba opposite to Reliance Petrol Bunk of Karatagi and met me at 10.30 to 11.00 am, prior to 2 days of the alleged incident. CW7 requested me to divide the property by submitting that, "ಚೆನ್ನಳ್ಳಿ ಕ್ರಾಸ್‌ನಲ್ಲಿ ನಮ್ಮ ಜಾಗ ಇದೆ. ನಮಗೆ ಶೆಡ್ ಹಾಕಲಿಕ್ಕೆ ನಮ್ಮ ದೊಡ್ಡಮ್ಮ ಬಿಡುತ್ತಿಲ್ಲ. ಎಲ್ಲಾ ಆಸ್ತಿ ನಮಗೇ ಬೇಕು ಅಂತಾ ಹೇಳುತ್ತಿದ್ದಾರೆ. ನಾವು 40 x 60 ರಲ್ಲಿ 20 x 60 ಮತ್ತು 20 x 60 ವಿಭಾಗ ಮಾಡಿಕೊಳ್ಳುತ್ತೇವೆ. ನೀವು ಆ ಜಾಗಕ್ಕೆ ಬಂದು ಅವರಿಗೆ ಸ್ವಲ್ಪ ತಿಳಿಸಿ ಹೇಳಿ, ಅಳತೆ ಮಾಡಿ ಕೊಡಿ". I have conducted survey of the land. I have seen the spot in Dishank App. The spot is bearing Sy.No.98 of Karatagi village. I have not spoke with the Accused persons regarding the property. At the time of speaking to CW7 at Daba, CW10, 14, 15, 19 and 20 were present.

7. The alleged incident has occurred at Sy.No.98 of Karatagi village. Sy.No.98 of Karatagi village is not standing

in the name of any of the Accused persons. Sy.No.98 of Karatagi village is also not standing in the name of CW7 Kavya.

8. I have seen the Sy.No.98 of Karatagi village in the Dishank App of the mobile of CW10. I do not remember in whose name Sy.No.98 of Karatagi village was standing when I saw the RTC. I have not spoke with the person whose name found in Sy.No.98 of Karatagi village as a owner of the property. CW8 is my wife. I will always visit the places for social work along with my family members. CW9 is from Nandihalli village of Karatagi Taluk. CW14 and 15 are from Sindhanur Taluk. CW16 and 17 are from Karatagi. CW8, 9, 14 to 17 are the members of our Association by name 'Dalitha Vimochana Sene'. The same is registered at Bengaluru. I am the Koppal District President of 'Dalitha Vimochana Sene'. I am having identity card of 'Dalitha Vimochana Sene'. CW8, 9, 14 to 17 are not having Identity Card issued by 'Dalitha Vimochana Sene'. 'Dalitha Vimochana Sene' has not issued me an Identity Card. I have got prepared the Identity Card as instructed by the 'Dalitha Vimochana Sene'. My Identity Card is not having the signature and seal of the state president of 'Dalitha Vimochana Sene'. I have got prepared the Identity Card the shop of Elukoti Printers, Islampur of Gangavathi. I am not having any seals in the name of 'Dalitha Vimochana Sene'. One Durugappa, state vice president of 'Dalitha Vimochana

Sene' has orally instructed me to get prepared the Identity Card. It is true to suggest that, without written permission from the Association, I cannot prepare the Identity Card. It is false to suggest that, my Identity Card is illegal and I am doing illegal activities by using the Identity Card. I am not having Bye-law of 'Dalitha Vimochana Sene'.

9. I have not seen the RTC with respect to Sy.No.98/*/1, Sy.No.98/*/2, Sy.No.98/*/3, Sy.No.98/*/4 and Sy.No.98/*/5 of Karatagi village. I do not know in which hissa number, the alleged spot is situated. I do not remember whether I have seen the alleged spot in Dishank App. Myself and CW10 have accessed the Dishank App. It is false to suggest that, we have not discussed about the alleged spot at Daba.

10. On the day of visiting the alleged spot, I have called CW8, 14 to 17. I have not shown the RTC of the alleged spot to CW8, 14 to 17. We have visited the alleged spot as CW7 requested to come to the alleged spot. We have not seen the RTC with respect to alleged spot prior to visiting the alleged spot. It is false to suggest that, myself and CW7 along with our Association members are having habit of filing false complaints against many persons. It is false to suggest that, I am the witness in SC No.2/2025 which is pending before this Court. Witness volunteers that, he has written the complaint in SC No.2/2025 which is pending for trial for the offence punishable U/sec.376 of IPC. Myself,

CW8 to 10, 14 to 16 have received the compensation from Social Welfare Department of Koppal after registration of the case in this case (Arising out of Crime No.258/2023 of Karatagi Police Station). Each of us have received sum of Rs.1,50,000/- from the Social Welfare Department of Koppal after registration of FIR in this case. I have written complaints more than 20 to 30 cases till date. I have got compensation to the victims in 2-3 cases. It is false to suggest that, CW8, 9, 16 and 17 were not at all present at the time of alleged incident. It is false to suggest that, I have implanted the names of CW8, 9, 16 and 17 for the purpose of getting the compensation.

11. I have not sustained any injuries in the alleged incident. It is true to suggest that, there is a delay of 24 hours in filing the complaint. It is false to suggest that, I have created the complaint at belated stage and filed a false complaint against the Accused persons.

12. I know Accused No.2 and 7 for more than 5-6 years. I am only having face recognition of Accused No.1, 3 to 6 and 8 and not fully acquainted with them. I have seen the Accused No.1 for the first time at the time of the alleged incident. I have never attended the family functions of the Accused No.2 and 7 till date and the Accused No.2 and 7 never attended any functions in our home.

13. It is true to suggest that, simply by looking at the face, the identity of caste of the person cannot be made out. CW8 to 10, 14 to 17 are not acquainted with the Accused persons and the Accused persons do not know the caste of CW8 to 10, 14 to 17. It is false to suggest that, Accused persons have not abused my caste and the caste of CW8 to 10, 14 to 17.

Further, cross-examination is deferred on the request.

(Typed to my dictation in open Court)

R.O.I. & A.C.

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