

IN THE COURT OF III ADDITIONAL DISTRICT AND SESSIONS JUDGE,

MYSURE.

S.C. No.92/2018

DEPOSITION OF P.W. -01

Addl. Witness

Name of the Witness : C. Kumaraswamy
Father's Name : Chikkamadaiah
Age : 56 Years
Occupation : HC-244, Lashkar police station, Mysuru.
Residence : Mysuru.

DULY SWORN ON: 03-11-2018.

EXAMINATION-IN-CHIEF BY PUBLIC PROSECUTOR : (Sec. 299 of Cr.P.C. evidence.).

For last 5 years I am working as HC in Lashkar police station, Mysuru.

2. On 01-09-2018, the SHO of our police station designated me to publish the proclamation in respect of Accused No.4 and 5 in this case by name Shahid Pasha and Ajaz Ahammed, issued by this court. Accordingly, on 02-09-2018 I started from Mysuru and went to Velluru District of Tamil Nadu to village by name Gudiyatham, and reached there on morning of 03-09-2018. In the said village I traced out the address of A-5 - Ajaz Ahammed. He was not available at the said address. I enquired about whereabouts of A-5 with his brother Fiyaz and neighbor by name Imran but they said A-5 has absconded and his whereabouts are not known to them. I arranged for beating of Tam-Tam in the said village

near the address of A-5 and it was publically announced during Tam-Tam that if anybody comes to know the whereabouts of A-5 to produce him before this court on 11-10-2018. I also affixed the copies of proclamation issued by this court on his address at prominent place and also at prominent place in the bus stand. In this regard I prepared mahajar in the presence of Panch Witnesses Fiyaz and Imran. Now I see the mahajar and the same is now marked as **Ex.P.1** and signature of the witness is now marked as Ex.P.1(a), from 10-15 am to 11-15 am. Now I see the proclamation issued by this court against A-5 and the same is now marked as **Ex.P.2**.

3. From there I went to village by name Palligunda. In the said village I traced out the address of A-4 - Shayid Pasha. He was not available at the said address. I enquired about whereabouts of A-4 with Nazirulla and Firoz who were the localities of the said village but they said A-4 has absconded and his whereabouts are not known to them. I arranged for beating of Tam-Tam in the said village near the address of A-4 and it was publically announced during Tam-Tam that if anybody comes to know the whereabouts of A-4 to produce him before this court on 11-10-2018. I also affixed the copies of proclamation issued by this court on his address at prominent place and also at prominent place in the Gram Panchayath and also in Bus-stand. In this regard I prepared mahajar in the presence of Panch Witnesses Nazirulla and Firoz. Now I see the mahajar and the same is now marked as **Ex.P.3** and signature of the witness is now marked as Ex.P.3(a), which was prepared on 03-09-2018 from 11-45 am to 12-45 pm. Now I see the proclamation issued against A-4 and the same is now marked as **Ex.P. 4**. Now I see the passport issued to me for going to said villages in search of A-4 and 5 and the same is now marked as **Ex.P.5**.

4. With regard to the due publication of proclamation against A-4 and 5 I submitted report which I now see and which is now marked as **Ex.P.6** and signature of the witness is now marked as Ex.P.6(a).

5. As per the proclamation the date for appearance of Accused was fixed as 11-10-2018 and I duly published the proclamation 30 days before that date i.e. on 03-09-2018.

CROSS EXAMINATION:

6. Since this is Sec. 299 of cr.p.c. evidence the question of cross examination does not arise.

RE-EXAMINATION : NIL

(Computerized to my dictation in the Open Court as deposed by the Witness)

R.O.I & A.C.,

III Addl. District & Sessions Judge,
Mysuru.

