

IN THE COURT OF III ADDITIONAL DISTRICT AND SPECIAL JUDGE,

MYSURU.

SPL.C. No.44/2017

DEPOSITION OF P.W. - 02

C.W. - 03

Name of the Witness : Rathnamala
Husband's Name : Shamsundar
Age : 43 years
Occupation : Asst. Teacher, Govt. Higher Primary School,
NMKA Balabodini, Chamaraja double road,
Mysuru.
Residence : Mysuru.

DULY SWORN ON: 27-11-2018.

EXAMINATION-IN-CHIEF BY THE SPL. PUBLIC PROSECUTOR :

From 2001 till date I am working as Asst. Teacher, Govt. Higher primary school, NMKA Balabodini, Chamaraja double road, Mysuru.

2. On 25-02-2014 when I was finishing duty and about to leave office there was phone call from BEO and when I reached BEO office he told me to report to Lokayuktha police station and accordingly I reached Lokayuktha police station at about 5-00 pm and reported to IO-Prakash Gowda and at that time one Lingaraju from Excise Dept. was also there.

3. Prakash Gowda-IO told me and Lingaraju that we have to cooperate as Panch Witnesses in a raid case and to report to him at 5-00 am on the next day and till then to keep everything confidential.

4. Accordingly, I reported to Lokayuktha police station on 26-02-2014 at 5-00 am and Lingaraju also came there. After that the inspector-Prakash Gowda, myself and other Panch Witness Lingaraju and Lokayuktha staff started in Govt. vehicles to Belavadi and reached House

No.108 of Belavadi at about 6-30 am. The vehicles were stopped at some distance from the house and all of us went inside the compound and rang the door bell. The door was opened by one Swetha who introduced herself as the brother's wife of Accused No.1 Shivamurthy. Then A-1 also came and inspector served search warrant on A-1 and I also signed the same. Now I see the said search warrant and the same is now marked as **Ex.P.2** and signature of witness is now marked as Ex.P.2(a).

5. Then all of us conducted body search of ourselves and then we started systematic search of the entire house.

6. In the compound there were 4 cars i.e. Toyota Innova, Maruthi car, Ambassador and ford Icon and also 3 two wheelers. The Lokayuktha police noted the registration number and meter reading of the said vehicles. There were also 3-4 electric meters, and Lokayuktha police noted down the details and we Panch Witnesses also saw the same.

7. Then we entered the house and search the entire house and details of each and every articles found in the house was noted in the mahajar and the valuation of each articles was made. In respect of those articles for which bill was produced the valuation in the bill was written in the mahajar and in respect of those articles for which no bill was produced, the articles were valued approximately after discussion amongst us, Panch Witnesses and Inspector.

8. During the search documents were found in the wardrobe and said documents are stated at Sl.No.131 to 232 of mahajar. The Lokayuktha police seized said documents. Also in the wardrobe huge amount of gold and silver ornaments were found and Lokayuktha police also seized the same. In order to value and weigh the said gold ornaments the Lokayuktha police summoned a goldsmith. The said goldsmith also weighed and valued the ornaments on the person of wife

of A-1 i.e. Accused No.2 Bhagya and after doing so the gold ornaments on the person of A-2 was returned to her. Similarly the ornaments on the person of Swetha were also weighed, valued and returned to her. Similarly the ornaments on the person of A-1 were also weighed, valued and returned to her.

9. Similarly the ornaments on the person of Daughter of A-1 (Padmini) and mother of A-1 (Puttalingamma) were also weighed, valued and returned to them.

10. In the search totally cash of Rs.4,47,890/- was found and out of this Lokayuktha police seized Rs.4,00,000/- and returned remaining amount to Accused for their daily expenditure.

11. The said house was duplex consisting of ground and first floor.

12. In the search various documents relating to son of A-1 and Jagadeesh (Brother of A-2) were also found and said documents were also seized. The approximate valuation of construction was also made in the mahajar. The house consisted of rear portion which was old construction and front portion was newly constructed.

13. With regard to the entire search and raid a detailed mahajar was prepared. Now I see the said mahajar and the same and is already marked as Ex.P.1 and signature of the witness is now marked as Ex.P.1(b).

14. At this stage the witness bound over for further chief examination in order to identify the gold and silver ornaments which have to been produced by IO.

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

R.O.I & A.C.,

III Addl. District & Spl. Judge,
Mysuru.

