

**IN THE COURT OF THE ADDITIONAL DISTRICT & SESSIONS JUDGE,  
VIJAYANAGARA DISTRICT, HOSAPETE**

**S.C. No.5039/2020**

P.W. 01 C.W. 01

Duly Sworn on : 22-12-2025.

**Cross-examination by Sri. H.V., Adv for Accused Nos.1 to 5 :-**

I have not reduced into writing, the credible information that I received. I have not noted the credible information in the station house dairy. I have informed my superior officer about the credible information. I have stated in the suo-motu complaint regarding information being given to my superior officer. I have not produced any document regarding the fact that I took permission from my superior officer over telephonic message. I have not obtained any warrant from the jurisdictional Magistrate or from my superior officer for conducting search. I have not received any permission letter in writing from my superior officer. The credible information was given by one of the persons from general public. I can not disclose the name of the informant. Based on the said credible information I have given complaint before the S.H.O.. The informant did not come to the spot at the time of raid. The date and time at which we left the station to reach the spot for raid is not noted in the station house dairy of the Police Station. We have not mentioned in the S.H.D. regarding the registration numbers of the vehicles in which we went to the spot. I have not noted the names of the police officials who accompanied me to the spot for raid, in the S.H.D.. A copy of the S.H.D. is not produced in this case. The witness volunteers that I am only a complainant but not Investigating Officer. It is not true to suggest that I have not gone to the spot for raid. The names of

the Pancha witnesses are not entered in S.H.D.. The S.H.O. of the Hirehadagali Police Station would have entered the information in S.H.D.. At the time of receiving credible information I was in Out Post of the said Police Station. The time was 8.35 p.m. when we reached the spot. I went to the spot on my private motor cycle. I have not mentioned the details of the vehicles in which we reached the spot, in the complaint given by me. We parked our vehicles at a distance of half a furlong from the spot. We were in uniform. Public had gathered there. On seeing us, except the accused no.1 all other persons fled away from the spot. I can not say the direction like East, West etc.,. The sale was taking place in front of the house of accused no.1. There were about 7 to 8 persons on the spot. From Out Post myself, one Head Constable and 2 Police Constables went to the spot. From Hirehadagali Police Station one Women Police Constable and 2 Men Police Constables came the spot. We tried to catch other persons who were present on the spot but we did not succeed in catching them. The spot is a public place situated in a Oni (lane). When we reached near the spot public were moving in the said lane. We did not request any person nearby the spot to be Pancha witnesses for the raid. I have not enquired any persons in the nearby place to the spot regarding the alleged incident. P.C. No. 912 brought the Pancha witnesses from Hirehadagali. I have noted in my complaint as well as in the mahazar that P.C. No. 912 brought the Pancha witnesses from Hirehadagali. From Hirehadgali Police Station the said Police Constables and Pancha witnesses came to the spot in our Department Jeep. I have stated in my complaint as well as in the mahazar that myself one Head Constable and 2 Police Constables went to the spot from Out Post of our Police Station and that the 3 Police Constables along with pancha witnesses came to the spot in the

Department Jeep. No notice was given to the Pancha witnesses in writing. But we have orally informed the Pancha witnesses about the raid to be conducted. It is not true to suggest that we have not given any information to Pancha witnesses about the raid to be conducted. It is not true to suggest that we have not taken any pancha witnesses to the spot and that we have taken the signatures of the Pancha witnesses in the mahazar at the Police Station itself. It is not true to suggest that we have not conducted any such raid near the house of the accused no.1. It is not true to suggest that if really we have conducted any such raid we would have secured the neighboring persons as Pancha witnesses. At the time of raid I have not searched the body of the accused no.1. It is not noted in the mahazar regarding conducting or not conducting search of the body of the accused no.1. We seized the cash from the accused no.1. C.P.C. No. 912 who was one of the Police Constables during raid has collected the said cash amount from the accused no.1. I again say that I collected the said money from the accused no.1 and thereafter handed it over to C.P.C. No. 912. We have seized a plastic container of two liters capacity which contained liquid, 5 empty plastic glasses from the spot and collected sample of 500 m.l. from the said plastic container. It is not true to suggest that we have not seized any material objects either from the accused no.1 or from the spot. The said plastic container a drinking water bottle. It did not contain any label of the company which produced it. I have not noted the quantity of the liquid contained in the said bottle. In my complaint as well as in the mahazar I have noted that the said liquid contained ನಿಶಾ ಬರುವ ದ್ರಾವಣ. The said glasses are plastic glasses without any label on it. The said 5 glasses were used glasses. The said glasses were used throw glasses. It is not true to suggest that we have not gone to the alleged spot

at the alleged time and not conducted any raid. It is not true to suggest that we have created the mahazar in the Police Station itself. It is not true to suggest that since we have not gone to the spot and not conducted raid at the spot neither the complaint nor the mahazar contains any statement to the effect that the used glasses were lying on the ground at the spot at the time of the raid. I have not noted the face value of the currencies seized from the accused no.1. We arrested the accused no.1 near his house itself. I enquired him in the spot itself. He has mentioned the names of the persons who fled away from the spot on seeing us. Since the case is registered after the raid was complete and after I have submitted my complaint and mahazar before the S.H.O of Hirehadgali Police Station, question of mentioning the Crime number of the case in the mahazar does not arise. I have written the complaint in the Out Post of our Police Station. The signatures of the all the Police Constables are not taken in the mahazar. At the time of conducting mahazar photos of the spot were not taken. I have not given further statement before the I.O.. The above said liquid was being sold as ನಿಶಾ ಬರುವ ದ್ರಾವಣ. What was the contents of the said liquid is reported by the F.S.L.. It is not true to suggest that I am deposing falsely. It is not true to suggest that none of the accused persons were selling ನಿಶಾ ಬರುವ ದ್ರಾವಣ at the alleged time and place of the alleged incident. It is not true to suggest that no such alleged incident took place. I received a bottle from the public for the purpose of storing the sample liquid collected from the said 2 Litres bottle. I have not noted the name of the person who gave me the said bottle. I have not noted in the complaint or in the mahazar that I received a bottle from the public for the purpose of storing the sample liquid collected from the said 2 Litres bottle. It is not true

to suggest that at the instance of my superior officers I have created false documents and gave false complaint.

**(Typed to my dictation in the open Court)**

**R O I & A C**

**(D.P.KUMARA SWAMY)**

Additional District & Sessions Judge,  
Vijayanagara District, Hosapete.