

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

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

P.W. 04 C.W. 12

Name : Sri. M.S. Subbanna  
Father's/Husband's Name : Sri. R. Subbanna  
Age : 62 years  
Occupation : Rtd. PSI.  
Residence : H.B.Halli.

Duly Sworn on : 07.03.2026.

**Examination-in-chief by: learned P.P.**

From 2017 to 2018 I served as ASI in Hirehadagali Police Station.

On 25.04.2017 I took over the charge of investigation of this case from C.W.11. On the same day accused no.2 to 6 have appeared before me and produced anticipatory bail order. In accordance with the said order, I have released them on bail. On 10.10.2017 I have received FSL report from The Regional Asst. Chemical Examiner, Raichur. Now I see the said report the said report is now marked as **Ex.P.3** and my signature as **Ex.P.3(a)**. Since the investigation was complete I have submitted charge sheet against the accused persons for the alleged offences punishable u/Secs. 32(3) of Excise Act, Secs. 272, 273, 336, 328 read with Sec. 149 of IPC.

I can identify the signatures of C.W.11. As per the investigation papers, on 27.03.2017 C.W.11 has received FIS as per Ex.P.2 and registered FIR which is now marked as Ex.P.4. I can identify the signatures of C.W.11. The signature of C.W.1 in Ex.P.2 and 4 are now marked as **Ex.P.2(b), and Ex.P.4(a)**. C.W.11 has recorded statements of C.W.2 to 7. I

can identify the accused persons. Accused no.2 to 4 are present before the Court and I identify them. (Learned defence counsel submits that he has no dispute regarding the identity of accused no.1)

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

I have not visited the scene of offence. It is not true to suggest that even though the accused persons have not committed the alleged offence, being influenced by my superior officer I have submitted false charge sheet against the accused persons for the alleged offences punishable u/Secs. 32(3) of Excise Act, Secs. 272, 273, 336, 328 read with Sec. 149 of IPC.

It is true that the Ex.P.2(b) and 4(a) signatures are not put before me. The witness voluntarily states that since C.W.11 was my colleague I have seen his signatures in the course of discharge of duties. It is not true to suggest that I am deposing falsely to see that it supports the prosecution case.

**Re-examination-Nil.**

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

**R O I & A C**

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

Additional District & Sessions Judge,  
Vijayanagara District, Hosapete.