

IN THE COURT OF THE 3rd A.D.J., AT HOSAPETE

Spl.C.No.01/2016

P.W. 16 C.W. 1

Name : N.R.Mahanatha Reddy
Father's Name : Late Rama Reddy
Age : 64 years
Occupation : Retired A.C.P.
Residence : Chitradurga

Duly Sworn on : 15-04-2024.

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

I was serving as Dy.S.P. Karnataka Lokayuktha, Hosapete since October, 2013 till October, 2016.

On 07.11.2014 we have received a Petition from the Upalokayuktha, Bengaluru; on the basis of the said petition, we have registered the Crime as Hosapete Lokayuktha P.S. Crime No.8/2014 U/Sec 13(1)(c) R/W Sec 13(2) of P.C. Act and Sec 420, 468, 471 of I.P.C.

On registering the Crime, I have sent the copy of the Petition alongwith the F.I.R. to the Jurisdictional Court through N.Srinivasulu, C.H.C., K.L.P. on 07.11.2014. Now I see the said Petition received from the Office of the Upalokayuktha, Karnataka State, Bengaluru. On identification, the same is marked as Ex.P28. Signature of the Witness is marked as Ex.P28(a). Now I see the F.I.R. On identification, F.I.R. is marked as Ex.P29. Signature of the Witness is marked as Ex.P29(a).

On 09.11.2014, I have issued requisition to Hosapete Municipal Council to furnish two Officials to act as a pancha. Accordingly, C.W.2 and

C.W.3 were sent to our Office. I have intimated the said persons to keep themselves present on 10.11.2014 at 10.30 a.m.

On 10.11.2014, both the persons viz., C.W.2 and C.W.3 have appeared before me in my Office at 10.30 a.m.; thereafter myself alongwith my Police Personnel, Staff, Typist, Panchas and with materials like Computer, Printer, etc., proceeded towards Varadapur Village and gone to Varadapur Grama Panchyath Office. P.D.O. by name Mangalagowri is present in Varadapur Grama Panchyath Office; I have requested her to show the houses which have been allotted to C.W.16/P.W.12, C.W.17/P.W.13 and C.W.18/P.W.14, who are the daughters of Accused No.3. When we went to the Spot, where houses were Constructed, a person by name Hanumanagowda was Present and contended that the said Houses belongs to him and he has rented those houses. The house which was allotted to Umavathi/C.W.16/P.W.12 was put on lock. The house which was allotted to Lakshnavva/c.W.18/P.W.14, the same was occupied by Sri Kshetra Dharmastala Rural Development Office, on rent. The house which was allotted to Rathnamma/C.W.17/P.W.13 was occupied by Suresh S/o Ramanna. All the three houses were standing in the name of Hanumanagowda/C.W.5/P.W.7. I have recorded the Statement of the said Hanumanagowda/C.W.5/P.W.7. I have conducted the Mahazar Proceedings.

Thereafter, P.D.O./Mangalagowri/C.W.4/P.W.2 has shown the house of Hanumavva/Accused No.3, which was located at a distance of about 100 Meters from the said three allotted houses.

Thereafter, we came back to the Office of the Grama Panchyath, Varadapur. I have requested the P.D.O./C.W.4/P.W.2 to furnish the documents pertaining to the three allotted houses to C.W.16 to C.W.18. She has furnished (1) General Body Meeting Book 2010 and 2011 dated 25.06.2010 (containing Page Nos.1 to 69), the same is already marked as Ex.P2; (2) Grama Sabha Meeting Book for the years 2010 and 2011 dated 25.06.2010 (containing Page Nos.1 to 167), the same is already marked as Ex.P3; (3) Book containing the details of disbursement of funds in favour of the allottees under Indira Awas Residence Scheme (containing Page Nos.1 to 63), the same is already marked as Ex.P8; (4) File pertaining to Lakshnavva W/o Goneppa (containing Page Nos.1 to 25), the same is already marked as Ex.P6; (5) File pertaining to Umavathi W/o Ramappa (containing Page Nos.1 to 24), the same is already marked as Ex.P4; (6) File pertaining to Nagarathna W/o Lakshmappa (containing Page Nos.1 to 25), the same is already marked as Ex.P7; (7) File pertaining to T.Hanumavva W/o Ramappa (containing Page Nos.1 to 25), the same is already marked as Ex.P5. The said Files, Books and Registers were seized for Investigation. I have drawn a running Panchanama, as per Ex.P1. On identification, Signature of the Witness on the Panchanama/Ex.P1 is marked as Ex.P1(c).

On 10.11.2014, I have recorded the Statements of C.W.5/P.W.7, as per Ex.P13, C.W.6/P.W.8, as per Ex.P14, C.W.7/P.W.9 and C.W.8/P.W.6.

On 11.11.2014, I have reported the P.F. in respect of the Seized Articles.

On 29.11.2014, I have sent the Chargesheet to the Office of A.D.G.P. through S.P. Ballari.

On 23.02.2015, I have issued a requisition to the Tahasildar, Hagaribommanahalli to furnish the Genealogical particulars of Hanumavva/Accused No.3.

On the same day, I have issued requisition to the Executive Officer, Taluka Panchyath, Hagaribommanhalli to furnish the particulars of the President and Grama Panchyath Members of Varadapur Grama Panchyath.

On 26.02.2015, I have issued notice to the Ex-Chairman of Varadapur Grama Panchyath.

On 02.03.2015, I have recorded the Statements of C.W.16/P.W.12, C.W.17/P.W.13 and C.W.18/P.W.14.

On 04.03.2015, I have secured the documents from the Executive Officer, Taluka Panchyath, Hagaribommanahalli, as per Ex.P15.

On 18.03.2015, I have recorded the Statement of Ex-Chairman of Varadapur Grama Panchyath by name Tavrya Nayak/C.W.15/P.W.11, as per Ex.P17.

On 23.03.2015, I have secured the particulars of the children of Hanumavva/Accused No.3 from the Tahasildar, H.B.Halli, as per Ex.P27 (Page Nos.286 to 333).

On the same day, I have recorded the Statement of C.W.12/P.W.3.

On 27.03.2015, I have secured the particulars of the Registration of the houses with the Office of the Sub-Registrar, H.B.Halli, as per Page Nos.334 to 357, including Ex.P9 to Ex.P12.

On 01.04.2015, I have recorded the Statements of C.W.13/P.W.4, C.W.14/P.W.5 and Ramachandra Nayak/Accused No.5.

On 06.04.2015, I have issued Showcause Notice to Accused No.2 through Executive Officer, Taluka Panchyath, H.B.Halli, and received the Information, as per Ex.P16.

On 15.04.2015, I have secured the documents pertaining to K.Lakshnavva/C.W.18/P.W.14 from State Bank of Mysuru, H.B.Halli, as per Page Nos.376 to 380. On identification, the said documents is marked as Ex.P30. Signature of the Witness is marked as Ex.P30(a).

On 30.04.2015, I have secured the documents pertaining to P.Rathnamma/C.W.17/P.W.13 from Pragathi Krishna Gramin Bank, as per Page Nos.370 to 375. On identification, the said documents is marked as Ex.P31. Signature of the Witness is marked as Ex.P31(a).

On 10.06.2015, I have recorded the Statement of C.W.10.

On the same day, I have recorded the Statement of C.W.9/P.W.10; and secured the documents as per Page No.282 to 285, which are already marked as Ex.P15, Ex.P15(A), Ex.P15(B) and Ex.P15(c) and Ex.P16.

On 29.07.2015, I have sent the chargesheet to A.D.G.P. Bengaluru through S.P. Ballari seeking Accord for Submission.

On 28.05.2016, I have received the Sanction for Prosecution against Accused/D.O. Nos.1 to 5 from S.P. Karnataka Lokayuktha, Bengaluru, with its letter dated 20.05.2016. On identification, the said Sanction Order is

marked as Ex.P32. Letter of S.P. Karnataka Lokayuktha, Bengaluru marked as Ex.P32(A) and Signature of the Witness with Seal is marked as Ex.P32(A)(a).

On 31.05.2016, I have filed Chargesheet against the Accused persons for the Offences punishable U/Sec 13(1)(c) and 13(2) of P.C. Act and Section 420, 468 and 471 of I.P.C.

Witness identifies the Accused persons present in the Open Court today.(Accused No.1 Absent, E.P. filed, identity not disputed).

Cross-examination by Sri.S.C.P. Adv for Accused No.3 :-

(Sri.S.C.P. Adv for Accused No.3 prays time to Cross-examine P.W.16. Hence Cross-examination of P.W.16 is deferred.)

Re-examination - **Nil** -.

(Typed to my dictation in the open Court)

R O I & A C

(ABDUL-RAHIMAN .A. NANDGADI)
III Additional District & Sessions Judge,
Ballari (sitting at Hosapete)