

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 Lakshmavva 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)

Duly Sworn on : 16-11-2024.

Cross-examination by Sri.K.N.R. Adv for Accused Nos.1 and 4 :-

It is true to suggest that, there is a difference between 'Consent for Prosecution' and 'Sanction for Prosecution'.

As on 07.11.2014 prior to registration of the Crime at Hosapete Lokayuktha Police Station Crime No.8/2014 for the offences punishable U/Secs 13(1)(c) r/W Sec 13(2) of P.C. Act and Secs 420, 468 and 471 of I.P.C., I have obtained Consent for Prosecution, as provided U/Sec 17(A) of P.C. Act, from the concerned Authority.

As per me one, K.Bheemappa had filed a Petition before the Lokayuktha, Bengaluru on 25.11.2013; on the basis of the said Petition, an enquiry was conducted by Lokayuktha, Bengaluru.

I have not enquired or examined K.Bheemappa, during the course of my Investigation right from 07.11.2014 till laying of Chargesheet, in this Case.

The Petition filed by K.Bheemappa was got enquired by the Lokayuktha, Bengaluru through the Inspector, Lokayuktha Office, Hosapete. I do not know the name of the said Inspector, who has made the enquiries on the Petition filed by K.Bheemappa.

It is true to suggest that, the Inspector, Lokayuktha Office, Hosapete had recorded the Statements of number of Witnesses; and has seized

documents, during the course of his Discreet Enquiry and Investigation made on the basis of the Complaint lodged by K.Bheemappa.

I have gone through the Original Statements recorded; and the documents seized by the Inspector, Lokayuktha Office, Hosapete, during the course of my Investigation in this Case. I do not remember as to when I have seen/gone through the said Original Statements and documents seized by the Inspector, Lokayuktha Office, Hosapete, in this Investigation Proceedings. I have not made any recordings in the Case Diary with regard to viewing the said Statements and seized documents, in this Case.

I have not secured two panchas, at the time of viewing the said Statements and seized documents, in this Case.

I have not seized the said Statements and seized documents or the file submitted by the Inspector, Lokayuktha Office, Hosapete, after conducting Discreet Enquiry/Investigation, in this Case.

As per me, the Petition filed by K.Bheemappa with the Lokayuktha, Bengaluru; the Proceedings of Discreet Enquiry conducted by the Inspector, Lokayuktha Office, Hosapete; Statements recorded and documents seized by the Enquiring Officer, forms material importance and significant documents, in this Case.

I was not having any impediment to get the enquire file and proceedings of Discreet Enquiry/Investigation conducted on the Petition filed by K.Bheemappa, in this Case.

In this Case, I have conducted Investigation, right from registration of the Crime, till laying of Chargesheet.

It is false to suggest that, since I had formed a differing Opinion, from the Opinion formed by the Inspector after conducting Discreet Enquiry/Investigation; and with an intention to take the Accused persons on Trial, I have registered a Crime by filing the Complaint; and on filing the Complaint, I myself has takenup the Investigation; and filed the Chargesheet, with an intention to takeup the Case against the Accused persons.

It is false to suggest that, with an oblique intention, I have purposefully avoided to seize or secure the entire file and proceedings of Discreet Enquiry conducted on the Petition filed by K.Bheemappa, in this Case.

When I had been for conducting of the Spot visit on 10.11.2014; and met Hanumana Gowda, who had informed me that he is the owner of three houses; on the basis of the said Information, I have not secured any documents from him, showing his Ownership, over the three houses. It is true to suggest that, during the course of my entire Investigation, neither I have secured, nor seized the documents exhibiting the Ownership of Hanumana Gowda over the three houses.

It is true to suggest that, Investigating Officer is provided with a Investigating Kit, which also includes a Digital Camera. Witness

volunteers that the said Kit includes Laptop, Printer, etc., but not Digital Camera.

I am using the Smartphone, since 5 to 6 years back from today. On 10.11.2014, I was not possessing any personal Smartphone.

It is false to suggest that, when in the year 2003, Smartphone was introduced, we Police Officials were provided with the Smartphone facility.

It is true to suggest that, the Photos which are alleged to have got clicked by C.P.C. Hanumappa, do not state the Latitude and Longitude vision. It is true to suggest that, I have not produced or Secured any Certificate U/Sec 65(B) of Indian Evidence Act, pertaining to the Photographs, produced in this Case.

Since, C.P.C. Hanumappa was not available, so I have recorded his Statement on 22.01.2015, for he having clicked the Photographs on 10.11.2014. I have not mentioned the fact of non-availability of C.P.C. Hanumappa in the Case Diary of this Case, for a particular period.

It is false to suggest that, the Photos which are produced in this Case to be dated 10.11.2014, were not got clicked on 10.11.2014, so I have obtained the Statement of C.P.C., Hanumappa, delayedly, with an intention to implant those Photographs, in this Case.

It is true to suggest that, the alleged Mortgage Deeds marked at Ex.P9 to Ex.P12 consists of Schedule of Property, which depict V.P.C.,

Numbers and Boundaries of the said Properties. I have not made any attempt to secure the documents of the Properties shown in the Description as Schedule of Properties in the Mortgage Deeds, having relevancy with V.P.C. Numbers and Boundaries. I did not have any impediment to obtain the documents pertaining to the said described Properties.

It is true to suggest that, guidelines have been issued under the Prime Minister Awaz Yojana Scheme. It is true to suggest that, under the said Guidelines Chief Executive Officer of Zilla Panchyath; and Executive Officer of Taluka Panchyaths have been empowered to visit and inspect the work done under the said Scheme. The Technical Staff also includes Surveyors. It is true to suggest that, even the guidelines speaks about Inspection of the work of construction under the said Scheme at different stages, i.e., at Basement Level Stage, Lintel Level Stage and at Finishing Level. I have not secured the documents from the Technical Staff of Zilla Panchyath in respect of the houses, in this Case. I do not have any impediment to secure those documents. It is false to suggest that, since those documents, goes against registration of Crime, so I have not secured the said documents in this Case.

It is true to suggest that, inorder to show that C.W.16/P.W.12 Umavathi is resident of Ward No.4, Mariyammanahalli; C.W.17/P.W.13 T.Rathnamma @ Nagarathna is the resident of Obalapura, near Hampapatna, H.B.Halli Taluk; and C.W.18/P.W.14/Lakshnavva W/o Goneppa is the resident of Bachigondahalli in H.B.Halli Taluk, electrol list

of relevant Constituency will be important and necessary. I have obtained the said Electrol list of relevant Constituencies.

It is true to suggest that, the Electrol lists which I have secured pertains to the year 2015, i.e., as on 01.01.2015. (Ink Page Nos.289 to 292).

It is true to suggest that, my allegation in this Case is dated 30.06.2011.

I have not made any attempt to secure either the residential Certificates, or to secure the electrol list pertaining to the year 2011, or as on 30.06.2011, or prior to 30.06.2011, pertaining to C.W.16/P.W.12 Umavathi; C.W.17/P.W.13 T.Rathnamma @ Nagarathna; and C.W.18/P.W.14/Lakshnavva W/o Goneppa. I do not have any impediment to obtain residential certificates or electrol lists for that particular periods.

I have not made any attempts to visit Ward No.4, Mariyammanahalli, to ascertain the residence of C.W.16/P.W.12/Umavathi; or to Obalapura , near Hampapatna, H.B.Halli Taluka to ascertain the residence of C.W.17/P.W.13 T.Rathnamma @ Nagarathna; or to Bachigodanahalli in H.B.Halli Taluk to ascertain the residence of C.W.18/P.W.14/Lakshnavva W/o Goneppa, during the course of my investigation in this Case, right from the registration of Crime till filing of Chargesheet. I do not have any impediment to visit the above said places to verify the respective residence of the said Prosecution Witnesses.

It is false to suggest that, in order to suppress the material facts, I have not visited any of the above three places, to ascertain the respective residence of the said Prosecution Witnesses.

It is false to suggest that, C.W.5/P.W.7; C.W.6/P.W.8 and C.W.7/P.W.9 have not given Statements before me on 10.11.2014, as per Ex.P13 to Ex.P15 respectively.

It is false to suggest that, C.W.17/P.W.13 has not stated anything before me, as recited in Ex.D2, D2(A), D2(B) and D2(C).

It is false to suggest that, C.W.16/P.W.12 has not stated anything before me, as recited in Ex.D1, D1(A), D1(B) and D1(C).

It is false to suggest that, I have avoided participation of Technical Staff of Zilla Panchyath, in order to avoid bringing of true facts on record.

I have not mentioned about receipt of Oral Orders from the Hon'ble Upa Lokayuktha, Bengaluru dated 25.12.2013, either in the Station House Diary or in the Case Diary of this Case.

I do not remember whether I have mentioned about the Letter dated 13.01.2014, which is referred-to as Reference No.2 in Ex.P28/Complaint, in the Station House Diary. But, the same is not referred in the Case Diary of this Case.

It is true to suggest that, Station House Diary is maintained Daywise, Shiftwise and it depicts the workings on the basis of Timings shown in it. It is true to suggest that, the events mentioned in that Station House Diary is maintained Chronologically.

It is true to suggest that, in the Complaint/Ex.P28, I have not made any reference about the Station House Diary, pertaining to Reference Nos.1 and 2 mentioned there-in.

I have not mentioned the Time and the Place, in the Statements of the Prosecution Witnesses, recorded by me. Witness volunteers that he has put the dates for recording the said Statements.

I have not produced the documents, which were supplied to the Chief Executive Officer, Zilla Panchyath, Ballari, for according sanction for Prosecution of Accused/D.O. No.2, in this Case.

It is true to suggest that, in Ex.P32/Sanction Order, there is mention about the recital as Raid Proceedings, in the subject shown in the said document/Ex.P32. The present Case does not pertain to Raid Proceedings, but it pertains to mis-appropriation of Government Funds. On viewing the recitals of Ex.P32, morespecifically the Subject pertaining to Raid Proceedings have not been got rectified by me, by filing necessary requisition to the said Sanctioning Authority. Nor I have made any attempt to get the same rectified.

Question : Since, you have not supplied the requisite documents; and the Sanctioning Authority has not verified the documents, so there is mention of the recital as 'Raid Proceedings' in the Subject, shown in the Sanction Order/Ex.P32?

Answer : It is the fault committed by the Sanctioning Authority.

Witness volunteers that in our requisition, we have shown as 'Other Cases'.

It is true to suggest that, under the Provision of Prevention of Corruption Act, valid Sanction is must.

It is false to suggest that, since I have lodged the Complaint in this Case, so I have laid the false Chargesheet.

It is true to suggest that, Accused/D.O. No.1 was the President of Maribihal Grama Panchyath from 07.12.2012 till 2014; and due to the said fact, Resolution dated 30.06.2011 is not connected with the period of Presidentship enjoyed by Accused/D.O. No.1. It is false to suggest that, though Accused/D.O. No.1 was not having any participation at the relevant point of time, but I have dragged her to this Crime, with an oblique intention. It is false to suggest that, I have falsely made the husband of Accused/D.O. No.1, as Accused/D.O. No.4, in this Case.

Before laying the Chargesheet I have gone through all the documents, meticulously.

It is true to suggest that, I have come across the fact that as per the General Body Meeting dated 24.12.2012, under the Presidentship of Accused/D.O. No.1, certain allotments of houses have been got cancelled, as those houses were allotted to the persons who were really not entitled for such allotment. It is false to suggest that, though I was having the knowledge of such cancellation of allotment under the Presidentship of Accused/D.O. No.1, but intentionally I have got dragged Accused/D.O. No.1 in this Case.

I have not sealed any documents in this Case after seizure of those documents. I had no any impediment to seal the seized documents, in this Case. It is false to suggest that, I have not sealed the seized documents, in this Case, only with an intention to incorporate the documents at different intervals, in order to serve the purpose of chargesheeting the Accused/D.Os in this Case.

It is false to suggest that, I have not investigated the Case properly; I have got created the documents to suit the purpose of filing the Chargesheet against the Accused persons, though the Accused persons have not committed any offence, as alleged.

It is false to suggest that, no any misappropriation of Government funds, muchtheless to the tune of Rs.87,500/- have been taken place in this Case, attracting participation of the Accused persons.

It is false to suggest that, none of the Accused persons have got created any false documents and misused any documents as genuine documents.

It is false to suggest that, none of the Accused persons have cheated neither the Government, nor the Public-at-large.

It is false to suggest that, none of the Accused persons are guilty of mis-conduct, forgery or Cheating.

Cross-examination by Sri.K.B.R., Adv for Accused No.2 :-

It is false to suggest that, Accused No.2 was not personally present in the General Body Meeting dated 30.06.2011.

I cannot state whether Ex.P2(A) Proceedings contains the Signature of Accused No.2 as P.D.O., of Grama Panchyath, Maarabihal.

It is true to suggest that, C.W.12/P.W.3/D.M.Thothaiah was present in the said General Body Meeting dated 30.06.2011.

I have secured the documents to show as to who have participated in the General Body Meeting dated 30.06.2011. I have produced the Meeting Proceeding Book for the same, in this Case. But I have not produced any Attendance Register, in this Case.

Apart from the Meeting Proceeding Book/Ex.P2, I have not collected any document to show that Accused/D.O.2 was present in the General Body meeting dated 30.06.2011 as P.D.O. Grama Panchyath, Maarabihal.

It is false to suggest that, Accused/D.O. No.2 had availed Leave for the periods 28.06.2011 to 10.07.2011 for 13 days; and from 28.07.2011 to 04.08.2011 for 08 days.

During the course of my Investigation, I have not come across as to who has inspected the Open Sites, said to have been allotted as per the General Body Meeting dated 30.06.2011.

As per Ex.P4 to Ex.P6, Thotayya/C.W.12/P.W.3 has affixed his Signature, as the Secretary, Grama Panchyath, Maarabihal, on behalf of the Government.

I do not know whether Thotayya/C.W.12/P.W.3 was present before the Sub-Registrar, H.B.Halli for registration of mortgage Deeds pertaining to C.W.16/P.W.12, C.W.17/P.W.13 and C.W.18/P.W.14.

It is false to suggest that, I have not Investigated the matter in the lines of availing of Leave by Accused/D.O. No.2 for the periods from 28.06.2011 to 10.07.2011 for 13 days; and from 28.07.2011 to 04.08.2011 for 08 days; and non participation of Accused No.2 in the General Body Meeting dated 30.06.2011.

It is true to suggest that, C.W.4/P.W.2/Mangala Gowri, P.D.O., Maarabihal Grama Panchyath has issued three cheques in favour of Umavathi/C.W.16/P.W.12, Rathnamma/C.W.16/P.W.13 and Lakshmavva/C.W.18/P.W.14, on inspecting the construction Works of the allotted Open Space and construction of the house over it, as per Ex.P8(A) to Ex.P8(C) and Ex.P8(E).

It is false to suggest that, Accused/D.O. No.2 has not committed any Mis-appropriation, Cheating or Forgery; and I have filed a false Chargesheet against him.

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

I have not verified as to how many villages come within the jurisdiction of Maarabihal Grama Panchyath during the course of my Investigation. Witness volunteers that he do not remember the number of Villages coming with the jurisdiction of Maarabihal Grama Panchyath.

I have come across the number of members elected for Maarabihal Grama Panchyath, but as of today I do not remember it. I can state on referring the documents.

Now Ex.P2/General Body Meeting Proceedings dated 30.06.2011 is shown to the Witness and questioned him to state whether participation of Accused No.3 is shown in the said Proceedings. Witness answers in the Negative.

It is false to suggest that, I have filed a false Chargesheet against Accused/D.O. No.3 though I am aware that she has not participated in the General Body Meeting dated 30.06.2011.

(Sri.S.C.P. Adv for Accused No.3 adopts the Cross-examination done to the Witness on behalf of Accused Nos.1 and 4.)

Cross-examination by Sri.B.Z. Adv for Accused No.5 :-

I have not secured any documents during the course of my Investigation, pertaining to the fact that Accused/D.O. No.5 was serving as the President of Grama Panchyath, Marrabihal, as on 30.06.2011. Witness contends that the General Body Meeting Proceedings dated 30.06.2011 speaks that Accused/D.O. No.5 was the President of Grama Panchyath, Marrabihal on 30.06.2011.

I have not secured any information during the course of my Investigation with regard to the period, within which Accused No.5 has served as the President of Grama Panchyath, Marrabihal. I do not have any impediment to secure such documents and information, during the course of my Investigation.

It is false to suggest that, Accused/D.O. No.5 has never attended the General Body Meeting dated 30.06.2011; and he has not affixed his Signature on the proceedings of the said meeting, produced in this Case as Ex.P2(A).

It is false to suggest that, I have purposely avoided to secure the information and document pertaining to the period of working of Accused No.5, as the President of Maarabihal Grama Panchyath, in this Case.

(Sri.B.Z. Adv for Accused No.5 adopts the Cross-examination done to the Witness on behalf of Accused Nos.1 and 4.)

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)