

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

Spl.C.No.5003/2017

P.W. 07 C.W. 01

Name : Rudresh.K.P.
Father's Name : Veerappa
Age : 45 years
Occupation : C.P.I. Shikaripura, Shivamogga
Residence : Shivamogga.

Duly Sworn on : 15-09-2023.

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

I was serving as Police Inspector, Lokayuktha Police Station, Hosapete since December, 2012 to February, 2014.

On 06.06.2013, I have received the application from the Office of the A.D.G.P. Bengaluru for enquiry; the said application was presented by K.V. Ravindranath Babu, Ex M.L.A. of Kudligi Constituency. On conducting the enquiry I have submitted the report on 05.11.2013 to the Office of the A.D.G.P Bengaluru through S.P. Ballari.

On 06.12.2013 A.D.G.P. Bengaluru has authorised to lodge a Complaint, on the basis of the said Report. I have received the said report through S.P. Ballari on 31.12.2013.

Now I see the letter issued by the S.P. Ballari on 19.12.2013 alongwith the petition filed by K.V. Ravindranath Babu, Ex M.L.A. of Kudligi Constituency. On identification, the said letter alongwith the xerox copy of the petition is collectively marked as Ex.P11; and Signature of the Witness is marked as Ex.P11(a).

On the basis of the Authorisation Letter I have filed a Complaint. Now I see the said Complaint. On identification, the same is marked as Ex.P12; and Signature of the Witness is marked as Ex.P12(a).

I have registered the Crime. Now I see the F.I.R. On the basis of the identification, F.I.R. is marked as Ex.P13; and Signature of the Witness is marked as Ex.P13(a). I have sent the copy of the Complaint and F.I.R. to this Court.

On 21.01.2014 I have requested the Horticulture Department, Hosapete to send panchas to conduct the Panchanama, by sending a requisition. Now I see the said requisition. On identification, the said requisition is marked as Ex.P14; and Signature of the Witness is marked as Ex.P14(a).

C.W.2 and C.W.3 appeared before me on 22.01.2014 at about 11.00 a.m. in the morning, at that time Accused No.1 and Bill Collector U.M.Prakash were present in our Office; I have given instructions to the said panchas about conducting of Seizure Panchanama. At that time Accused No.1 and Bill Collector U.M.Prakash have produced 19 Volumes of Case Registers and files, measurement books, cash book, Challan Register, Pass book pertaining to State Bank of Mysuru, Chikkajogihalli Branch; Market and Bus-stop Auction Register, collection Register for the years 2011-12, D.C.B. Register for the year 2009-10, Rent Recovery Register for the years 2010-2011, Action Plan documents, 2nd Stage Action Plan documents, Assessment Register for the year 2010-11, Audit Report for the years 2011-2012, 46 Files pertaining to 13th Finance Scheme for the years 2011-12, 6 Files pertaining to NAREGA for the years 2011-12; and 38 files pertaining to Works details taken up under Nidhi-II Assessment Recovery. I have seized the said documents with registers in the presence of both the panchas viz., C.W.2 and C.W.3; drawn the Seizure Mahazar. Now I see the said Seizure Mahazar, on identification, the said Seizure Mahazaris already marked as Ex.P1. Signature of the Witness is available on each page of the Seizure Mahazar/Ex.P1, but on identification,

Signature of the Witness available on the last page of the Seizure Mahazar/Ex.P1 is marked as Ex.P1(b). 19 Volumes, big Books Registers, etc., seized under the Seizure Mahazar/Ex.P1 are collectively marked as M.O.1.

I have filed the P.F. pertaining to M.O.1.

I have recorded the Statements of C.W.2 and C.W.3 on the same day.

On 03.02.2014 I have given requisition to the B.S.W. Hosapete to send panchas to conduct the Panchanama. Now I see the said requisition. On identification, the said requisition is marked as Ex.P15; and Signature of the Witness is marked as Ex.P15(a). Accordingly, C.W.4 and C.W.5 appeared before me on 04.02.2014 at about 08.30 a.m. in the morning, at Lokayuktha Police Station, Hosapete, at that time Assistant Engineer, P.W.D. Hosapete/C.W.23 was present in our Office; I have given instructions to the said panchas about conducting of Spot Panchanama and intimated them that C.W.23 will help for the said proceedings. We have left our Office by 09.00 a.m. in the morning and went to Chikkajogihalli Panchyath Office, it was about 10.45 a.m., wherein Accused No.1 and Bill Collector U.M.Prakash, Accused No.4 were present, so also I have secured the presence of C.W.6 and C.W.7; wherein we have verified the work done at Tudi Pipeline Work as per File No.32; construction of tike (Platform surrounding the tree) takenup at Aralikatte as per File No.5; verified Pipeline Work as per File No.13; the said verification work was done inbetween 11.00 a.m. to 12.30 Noon. Again from 12.45 p.m. in the afternoon we have verified the laying of pipeline as per File No.10; verified the construction of water tank as per File No.37; laying of

pipeline work at C.J.Halli Thanda as per File No.39; the said verification work was done inbetween 12.45 p.m. to 01.15 p.m. in the afternoon.

I have made enquiries with Accused Nos.1 and 4 as to whether they have informed about the works to the Publicatlarge, but it was revealed that they had not given the said information to the Public.

Again we started verification of pipeline works of lower ward of Chikka Jogihalli Thanda, as per File No.14; construction of the Public Road as per File No.43; the said verification work was done inbetween 01.20 p.m. to 02.00 p.m. in the afternoon.

We went to Kurihatti by 02.45 p.m.; we have verified construction work of Water Tank as per File No.15; construction of Public Road near the School, as per File No.38; the said verification work was done inbetween 02.45 p.m. to 03.30 p.m.

Thereafter we went to Makanadaku Village, wherein we have verified the construction of Water Tank as per File No.24; construction of public road as per File No.31; the said verification work was done inbetween 04.00 p.m. to 04.45 p.m.

Thereafter we came to Inspection Bunglow at Chikkajogihalli by 05.00 p.m. and drawn the running Mahazar of the verification of the above stated works from 05.00 p.m. to 06.30 p.m. I can identify the said Mahazar; the said Mahazar is already marked as Ex.P6. Signature of the Witness is available on each page of the Mahazar/Ex.P6, but on identification, Signature of the Witness available on the last page of the Mahazar/Ex.P6 is marked as Ex.P6(e).

I have requested the Panchas to come on the next day for conducting of further Panchanama Proceedings.

On 05.02.2014 we have left the office at 08.00 a.m. in the morning and went to Chikkajogihalli Village near Inspection Bunglow, it was about

09.45 a.m., wherein Accused No.1 and U.M.Prakash Bill Collector have produced 2011-2012 NAREGA work book; the same was seized in the presence of both the panchas. Now I see the said M.B. Book No.1/11-12. On identification, the same is marked as M.O.2. Signature of the Witness is marked as M.O.2(a).

We have left the Inspection Bunglow at about 10.15 a.m. and reached the Stalls constructed under Nidhi-II scheme; the same was verified by the Engineer who had accompanied me; the said verification work was done inbetween 10.15 a.m. to 10.45 a.m.

Thereafter we went to Chikkajogihalli B.C.M. Hostel by 10.50 a.m. wherein Plantation work was taken place, we have verified the said Plantation work shown by Devadas/C.W.18, as per the records 240 plants were planted, but actually there were only 96 plantation plants available in the Compound of B.C.M. Hostel, Chikkajogihalli; the said verification work was inbetween 10.15 a.m. to 11.30 a.m.

Thereafter, we went to J.N.U. Navodaya School, wherein Plantation work was taken place, we have verified the said Plantation work shown by Devadas/C.W.18, as per the records 395 plants were planted, but actually there were only 291 plantation plants available in the Compound of J.N.U. Navodaya School, Chikkajogihalli; the said verification work was inbetween 11.35 a.m. to 12.15 p.m.

Thereafter, we went to Government School, Chikkajogihalli Thanda, wherein Plantation work was taken place, we have verified the said Plantation work shown by Devadas/C.W.18, as per the records 380 plants were planted, but actually there were only 270 plantation plants available in the Compound of Government School, Chikkajogihalli Thanda; the said verification work was inbetween 12.20 p.m. to 01.00 p.m.

Thereafter, we went to the Road running from Chikkajogihalli Thanda connecting to N.H.13, wherein Plantation work was done on both the sides of the said Road, we have verified the said Plantation work shown by Devadas/C.W.18, as per the records 380 plants were planted, but actually there were only 230 plantation plants available on either sides of the said Road; the said verification work was inbetween 01.10 p.m. to 02.10 p.m.

Thereafter, we returned to the Inspection Bungalow, Chikkajogihalli by 02.20 p.m. and drawn the running Mahazar of the verification of the above stated works from 02.20 p.m. to 03.00 p.m. I can identify the said Mahazar; the said Mahazar is already marked as Ex.P7. Signature of the Witness is available on each page of the Mahazar/Ex.P7, but on identification, Signature of the Witness available on the last page of the Mahazar/Ex.P7 is marked as Ex.P7(d).

I have filed the P.F. pertaining to M.O.2.

On the same day, I have recorded the Statements of C.W.4 to C.W.18.

Due to my transfer, I have handedover the Charge of this Case for further Investigation to P.I. Mahanthesh Hosapete.

I can identify Accused Nos.1 and 4 who are present in the Open Court today.

Cross-examination by Accused Nos.1 to 6:-

(Sri.G.V.P. Adv for Accused Nos.1 to 6 prays time to Cross Examination P.W.7. Hence, Cross Examination of P.W-7 by Accused Nos.1 to 6 is deferred).

(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)