

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

Spl.C.No.03/2016

P.W. 01 C.W. 01

Name : Chavatagi Chowdamma
Husband's Name : Chavatagi Durugappa
Age : About 60 years
Occupation : Household
Residence : Kottur

Duly Sworn on : 03-03-2023.

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

I know the Accused.

About 08 years back, I had filed an application with Kottur Municipality for chance of Khata from the name of my Husband to my name. In this connection, I had visited Kottur Municipality with a request to chance the Khata in my name. The Officials had taken 04 months time to do so and thereafter the Accused demanded Rs.8,000/- from me to chance the Khata in my name. I had negotiated with the Accused contending that, due to poverty I can give Rs.2,000/-, but he insisted me to give Rs.5,000/-; and I got ready to pay Rs.3,000/-. The said conversation was got secured by me in the Mobile Phone. Thereafter, I have lodged a Complaint with the Lokayuktha Police Hosapete. I have affixed my thumb impression to the said Complaint. Now a document/Complaint is shown to the witness and questioned her to identify the same. Witness identifies the same. On identification, the said Complaint is marked as Ex.P-1.

Thereafter Lokayuktha Police have secured C.W-2 and C.W-3 in their Office. Lokayuktha Police took 03 currency notes of Rs.500/- denomination and 05 currency notes of Rs.100/- denomination from me; thereafter affixed powder to the said currency notes. The Lokayuktha Police have asked the Panchas to touch the said currency notes; and got their hands washed, the said washed water turned into pink colour. On the said day, we did not go for raid. That day was Friday. The said currency notes were kept in the Cupboard in the Office of the Lokayuktha Police.

On the next day i.e., on Saturday, I had been to Lokayuktha Police and from there myself, my son and Lokayuktha Police personnel went to Municipality Office, Kottur in a Car. On that day, Accused was not there in the Office, thereafter we returned back to Hosapete. Again the said currency notes were kept in the Cupboard in the Office of the Lokayuktha Police.

Since, Sunday was holiday, again I had come on Monday to the Lokayuktha Police Office. Lokayuktha Police gave tainted currency notes to me and instructed me that, after giving the said tainted currency notes to the Accused to come outside and make the sign by rubbing the face with the Saree. I alongwith Police Personnel, Panchas and my son had gone to the Municipality Office, Kottur, on that day. When I went to the Office, the Accused asked me as to whether I have brought the money. I answered in the Affirmative and gave the tainted notes to the Accused. On giving the tainted notes, I came outside the Office and rub my face with the Saree, thereafter Lokayuktha Police came and trapped the Accused; asked the

Accused to remove his shirt wherein he has kept the tainted currency notes in the front pocket of the Shirt; removed the currency notes from the said Shirt pocket; and put the Shirt in a white colour liquid, which had turned into pink colour. Prior to removing of the Shirt of the Accused, I do not know what the Lokayuktha Police had done, as I had sat there. I can state that, the said tainted currency notes, but I cannot identify the same. I do not know as to what the Lokayuktha Police have done to the said tainted currency notes.

Police have not recorded my Statement.

Lokayuktha Police have taken my 04 signatures, in Hosapete as well as in Kottur. Thereafter Lokayuktha Police have arrested the Accused, myself and my son returned back to our residence.

Lokayuktha Police have not got clicked any Photographs, during the raid proceedings.

**(The learned PP prays to treat this witness Partly hostile. Perused the entire file and the examination-in-chief of this witness. Hence permitted)
Cross Examination by learned Spl.PP**

It is true to suggest that, I had agreed to pay Rs.5,000/- to the Accused, out of which I had already paid Rs.3,000/-; and yet to pay Rs.2,000/-. It is true to suggest that, for payment of the said Rs.2,000/- to the Accused, I had lodged a Complaint with the Lokayuktha Police. It is true to suggest that, I have handed over my Mobile Phone to the Lokayuktha Police containing the conversation inbetween me and the Accused. It is true to suggest that, the Lokayuktha Police have seized the said Mobile Phone by drawing the Mahazar, wherein I have affixed my thumb impression. Now 73 Positive Photographs are shown to the witness

and questioned her to identify the same. Witness identifies the same. On identification, the said 73 Positive Photographs are collectively marked as Ex.P-2. (Sealed envelope is unsealed in the Open Court in the presence of learned Spl.P.P. and the learned counsel for the Accused. On unsealing the said envelope, the said envelope contains Rs.500/- x 3 currency notes and Rs.100/- x 5 currency notes). Witness contends that, she had given the said currency notes to the Lokayuktha Police. On identification, the said currency notes are collectively marked for identification as M.O-1. It is true to suggest that, when I handed over the said currency notes to the Lokayuktha Police, the Lokayuktha Police have got drawn the Mahazar by noting down the serial numbers of the said currency notes. It is true to suggest that, Lokayuktha Police had demonstrated me and the Panchas, on sprinkling the Phenolphthalein Powder on the said currency notes; and asked the Panchas to touch the said tainted currency notes and to get washed their hands in a Sodium Carbonate coupled with water in a glass bowl, the said liquid changed its colour to rose colour pink. It is true to suggest that, the said liquid was put in the bottles and seized the said bottles. The Lokayuktha Police have got drawn Panchanama to this effect.

(Further Cross Examination is deferred at the request of learned Spl.P.P.)

(Typed to my dictation in the open Court)

R O I & A C

Sd/-

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