

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

**S.C. No.5134/2021**

P.W. 01 C.W. 01

Name : Vaddara Suresh Babu  
Father's/Husband's Name : Veeranna  
Age : 35 years  
Occupation : Maison  
Residence : Hagaribommanahalli

Duly Sworn on : 12-12-2025.

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

I do not know deceased Sri. Basavaraja. I do not know the accused who is present before the Court. I do not know C.W.4, 5, 13, 15 to 17. C.W.14 Sri. Mahesh Babu is my brother.

The deceased Sri. Basavaraja, his wife C.W.4 Smt. Rathamma, his sons namely the C.W.5 Sri. Uday Kumar and the accused Sri. Ajjaiah were residing in a house owned by me on rental basis. I do not know as to what was the avocation of deceased Sri. Basavaraja. I do not know how Sri. Basavaraja died. I do not know as to where the dead body of deceased Sri. Basavaraja was lying. About 5 years ago one day the Police had come to my house and obtained my signature on a document. The signature now shown to me is my signature. F.I.S. dated 21.12.2019 is now marked as **Ex.P.1** and my signature as **Ex.P.1(a)**. The signature now shown to me is my signature. Mahazar dated 21.12.2019 is now marked as **Ex.P.2** and my signature as **Ex.P.2(a)**. The signature now shown to me is my signature. Rough sketch of the spot dated 21.12.2019 is now marked as **Ex.P.3** and my signature as **Ex.P.3(a)**. The person wearing full arm

white shirt seen in 4 photos now shown to me is myself. The said photos are taken near my house. The said 4 photos are now marked as **Ex.P.4 to 7**. Now I see two photos. The said two photos are the photos of dead body of deceased Sri. Basavaraja. The said two photos are now marked as **Ex.P.8 and 9**.

(Learned PP seeks permission for breaking open the 9 sealed covers containing material objects mentioned at serial number 1 to 7 in PF No. 173/2019. Permission is granted. Said 9 sealed covers are opened in the Open Court in the presence of P.W.1, accused, Learned PP and Learned defence counsel.)

Now I see the material objects now shown to me. I have not seen them at any time earlier.

i) two full bricks and three half bricks mentioned at sl. no.1 are together marked as M.O.1.

ii) one sweater mentioned at sl. no.2 is marked as M.O.2.

iii) one under wear (drawer) mentioned at sl. no.3 is marked as M.O.3.

iv) one cut blood stained white color banian mentioned at sl. no.4 is marked as M.O.4.

v) mud mixed with blood stain and hair mentioned at sl. no.5 is marked as **M.O.5**.

vi) normal mud mentioned at sl. no.6 is marked as **M.O.6**.

vii) a piece of nail of finger of hand of the deceased and a piece of tooth of the deceased mentioned at sl. no.7 are together marked as **M.O.7**.

(Learned PP seeks permission for breaking open the one sealed cover containing material object mentioned at serial number 1 in PF No.

172/2019. Permission is granted. Said sealed cover is opened in the Open Court in the presence of P.W.1, accused, Learned PP and Learned defence counsel.)

Now I see a lungi now shown to me. I have not seen it at any time earlier. The said lungi is now marked as **M.O.8**.

(Learned PP seeks permission for breaking open the one sealed cover containing material object mentioned at serial number 1 in PF No. 176/2019. Permission is granted. Said sealed cover is opened in the Open Court in the presence of P.W.1, accused, Learned PP and Learned defence counsel.)

Now I see one shirt now shown to me. I have not seen it at any time earlier. The said shirt is now marked as **M.O.9**.

I do not know the contents of Ex.P.1 to 3.

**( The learned PP prays for cross examination of this witness on the ground that the witness has given Statement before the I.O. and not ready to depose the truth before the Court. Perused the entire file and the examination-in-chief of this witness. Hence permitted)**

**Cross Examination by learned PP**

It is not true to suggest that on 21.12.2019 at about 1.30 a.m. I have gone to the Hagaribommanahalli Police Station and submitted typed F.I.S. as per Ex.P.1 before the Hagaribommanahalli Police wherein I have stated to the effect that the deceased Sri. Basavaraja was in the habit of coming home in drunken condition everyday and that he used to quarrel with his wife and children everyday in a rented house which belongs to me; that even though the accused advised the deceased Sri. Basavaraja not to do so, the deceased Sri. Basavaraja never listened to the said advise; that being fed up with the said conduct of the deceased Sri. Basavaraja, the

accused picked up quarrel with the deceased Sri. Basavaraja on 20.12.2019 at about 10.30 p.m. and by quarreling with each other both of them came to the street; that on hearing the sound I came out of my house and saw the accused and the deceased Sri. Basavaraja man handling each other; that I saw the accused assaulting the deceased Sri. Basavaraja with bricks on the face, other parts of his body, forehead etc., of deceased Sri. Basavaraja whereby the deceased Sri. Basavaraja fell down on the ground having suffered bleeding injuries; that myself and other who had gathered at the alleged time and place of incident have fassified the quarrel; that when myself, by brother Sri. Mahesh, my tenants in various houses belonging to me namely Sri. Suresh, Sri. Nagaraja, Sri. Chilagodu Venkatesh and others went to rescue the deceased Sri. Basavaraja, the accused pushed us aside and picked up a brick and assaulted forcibly on the head of the deceased Sri. Basavaraja and caused severe bleeding injuries whereby the deceased Sri. Basavaraja died on the spot itself; that I telephoned to the said Police and informed about the said incident; and that the accused dragged the dead body of the deceased Sri. Basavaraja and threw it in front of their house. It is not true to suggest that I have seen the accused assaulting the deceased Sri. Basavaraja with bricks which are marked as M.O.1. It is not true to suggest that on 21.12.2019 I have shown the place of incident to Hagaribommanahalli Police who have conducted mahazar as per Ex.P.2 at the place of incident from 2.30 p.m. to 3.30 p.m. in the presence of C.W.9 and 10 and seized M.O.1 to 7; prepared rough sketch of the spot as per Ex.P.3; and took photos of the scene of offence as per Ex.P.4 to 7. It is not true to suggest that I know that the deceased Sri. Basavaraja was wearing M.O.8 lungi at the time of alleged incident and that the accused was

wearing M.O.9 shirt at the time of alleged incident. It is not true to suggest that even though I have seen the alleged incident, even though I have given statement accordingly as per Ex.P.1 F.I.S. before the Police Investigating Officer which is now read over and explained to me, even though the police have conducted Ex.P.2 spot mahazar at the scene of offence as shown by me as per the contents of Ex.P.2 spot mahazar, even though the Police Investigating Officer has prepared a rough sketch as per Ex.P.3 at the time of conducting of Ex.P.2 mahazar, even though the Police Investigating Officer has taken photos as per Ex.P.4 to 7, even though the Police Investigating Officer has seized M.O.1 to 7 under Ex.P.2 mahazar in the presence of myself, C.W.9 and 10, I am deposing falsely to help the accused person.

**Cross-examination by Sri. L.C.M., Adv for Accused:- submits 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.