

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

S.C. No.5061/2019 C/W S.C. No.5093/2019

P.W. 02 C.W. 02

Name : B.S.Niranjan
Father's Name : B.Sharanappa
Age : 43 years,
Occupation : Agriculturist
Residence : Abbenahalli Village, Challakere Taluk

Duly Sworn on : 28-08-2023.

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

I know C.W.3. I know Deceased C.Basavaraj.

On 18.08.2015 myself and C.W.3 were called near Nimbalgere Forest Area; wherein dead body of C.Basavaraj was found. When I saw the dead body of Deceased Basavaraj, it was in a decomposed state.

Hosahalli Police have conducted Inquest Mahazar upon the dead body of deceased C.Basavaraj. The said Inquest Mahazar was conducted inbetween 05.00 p.m. to 06.00 p.m. in the evening.

Deceased C.Basavaraj has performed his marriage with Nandini/Accused No.1. C.Basavaraj was not having cordial relationship with his wife/Nandini; there was a quarrel inbetween them. Due to the same C.Basavaraj had committed suicide.

Following Materials were present at the Spot viz., knife; one poison Bottle; One Cold Drinks Bottle; One Water Bottle; One Scent Bottle; Two Mobile Phones; and one Motorbike. I can identify the said Materials.

(Now the materials sealed in the white colour cloth bags, are unsealed in the presence of the Learned PP for the State and Sri.G.B.R.

Adv for Accused No.1; Sri.Y.M.M. Adv for Accused No.2; Sri.B.P. Adv for Accused No.3, Sri.B.G. Adv for Accused No.4; Sri.L.U. Adv for Accused Nos.5 and 6; and found 250 ml. Monocrotopass Poison Bottle; 300 ml. Of TILO Lemon Cool Drinks Bottle; 250 ml. Sip-On Fruit Cool Drinks Bottle; 1 Ltr. Water Bottle). Now the said materials have been shown to the witness and questioned him to identify them. Witness identifies the said material objects. On identification, 250 ml. Monocrotopass Poison Bottle is marked as M.O.1; 300 ml. Of TILO Lemon Cool Drinks Bottle is marked as M.O.2; 250 ml. Sip-On Fruit Cool Drinks Bottle is marked as M.O.3; 1 Ltr. Water Bottle is marked as M.O.4.

(Now the materials sealed in the Brown Colour Envelopes, are unsealed in the presence of the Learned PP for the State and Sri.G.B.R. Adv for Accused No.1; Sri.Y.M.M. Adv for Accused No.2; Sri.B.P. Adv for Accused No.3, Sri.B.G. Adv for Accused No.4; Sri.L.U. Adv for Accused Nos.5 and 6; and found one knife with handle; one Mobile Phone of LG Company White Mobile Phone; One Samsung Company Black Mobile Phone.) Now the said materials have been shown to the witness and questioned him to identify them. Witness identifies the said material objects. On identification, knife is marked as M.O.5; LG Company White Mobile Phone is marked as M.O.6; One Samsung Company Black Mobile Phone is marked as M.O.7.

One Motorbike was also present on the Spot. I cannot state the Registration Number of the said Motorbike. I can identify the said Motorbike.

(Witness Stepout from the Witness Box went to see the Motorbike parked in the Court Premises; came into the Witness Box; duly sworn in and identifies the said Motorbike). On identification, motorbike is marked

as M.O.8. Now two Positive Photographs of Motorcycle bearing Registration No.KA-36/Q-317 are shown to the Witness and questioned him to identify the said Photos. Witness contends that the said Photographs pertains to the motorcycle present on the Spot. On identification, the said Photographs are marked as Ex.P1 and Ex.P2.

Now a document/Inquest Mahazar is shown to the Witness and questioned him to identify whether the said document contains his Signature. Witness answers in the Affirmative. On identification Inquest Mahazar is marked as Ex.P3 and Signature of the Witness is marked as Ex.P3(a).

Cross-examination on behalf of Accused No.1 : -

(Sri.N.B.S. Adv for Accused No.1 prays time to Crossexamine P.W.2. No sufficient grounds madeout. Hence Cross-examination of P.W.2 by Accused No.1 is taken as Nil.)

Cross-examination on behalf of Accused No.2 : -

(Sri.Y.M.M. Adv for Accused No.2 prays time to Crossexamine P.W.2. No sufficient grounds madeout. Hence Cross-examination of P.W.2 by Accused No.2 is taken as Nil.)

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

Siddabasappa/C.W.1/P.W.1 is the Son-in-law of my Village, i.e., Abbenahalli. I know deceased C.Basavaraj, since from his childhood. My village Abbenahalli is located at a distance of 15 Kms from Hosahalli Police Station. The Place/Spot wherein deadbody of C.Basavaraj was found is located at a distance of 40 Kms from my Village Abbenahalli. On the day on which Inquest Mahazar was conducted, on that day Police had not come to my village Abbenahalli to call me. On that day myself and my

Brother Mallikarjuna had went to the Spot, where the dead body of C.Basavaraj was found, on my Motorcycle. We had gone on 18.08.2015.

On 18.08.2015 Hosahalli Police had come to the Spot, but I cannot state the number of the said Police Personnels. On the said Spot C.W.1/P.W.1, his wife Manjula/C.W.4 and other Villagers of Sheleyappanahalli Village; myself, my brother were present. On that day Hosahalli Police have taken Signatures of totally five persons including me.

It is false to suggest that M.O.1 to M.O.8 were not present on the Spot, where the dead body of C.Basavaraj was found.

It is false to suggest that Hosahalli Police have not conducted the Inquest Mahazar in my presence as well as in the presence of C.W.3, but I have affixed my Signature on the Inquest Mahazar/Ex.P3 as per Ex.P3(a) in Hosahalli Police Station, at the request of C.W.1/P.W.1 and his wife C.W.4.

It is false to suggest that I am deposing falsely in this Case in order to help C.W.1/P.W.1 and his wife C.W.4, as they happen to be my relatives.

Cross-examination by Smt.B.G.R. Adv for Accused No.4 : -

(Smt.B.G.R. Adv for Accused No.4 adopts the Cross examination done to the Witness on behalf of Accused No.3).

Cross-examination by Sri.L.U. Adv for Accused No.5 and 6 : -

On 18.08.2015 I have affixed only one Signature on the last page of the Inquest Mahazar/Ex.P3.

About 4 to 5 persons have affixed their Signatures on the Inquest Mahazar/Ex.P3, apart from me.

Hosahalli Police have not got affixed my Signature to any Notice prior to conducting of Inquest Mahazar/Ex.P3.

(Sri.L.U. Adv for Accused Nos.5 and 6 adopts the Cross examination done to the Witness on behalf of Accused No.3).

(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)