

**IN THE COURT OF THE 3<sup>rd</sup> A.D.J., AT HOSAPETE**

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

P.W. 04 C.W. 07

Name : Thipperudrappa  
Father's Name : Thippeswamy  
Age : 46 years,  
Occupation : Agriculturist  
Residence : Sheliyappanahalli Village, Sandur Taluk

Duly Sworn on : 28-08-2023.

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

I know C.W.6/P.W.4, C.W.1/P.W.1.

On 18.08.2015 Hosahalli Police have conducted Spot Mahazar of the Spot, wherein the dead body of Basavaraj was found; M.O.1 to M.O.7 were seized by Hosahalli Police; even Motorcycle M.O.8 was also present at the Spot; Ex.P5 was in the back pocket of the pant of deceased Basavaraj; even the same was taken by the Police; the Hosahalli Police have drawn the Mahazar and have taken my Signature on it; the said Mahazar proceedings were conducted inbetween 05.30 p.m. to 07.00 p.m. in the evening. Now the Spot Mahazar/Ex.P4 is shown to the Witness and questioned him to identify his Signature. Witness identifies his Signature. On identification, Signature of the Witness is marked as Ex.P4(b).

I can identify the Material Objects seized by the Hosahalli Police; the same are present in the Open Court, which are already marked as M.O.1 to M.O.7.

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

(Sri.N.B.S. Adv for Accused No.1 prays time to Crossexamine P.W.4. No sufficient grounds madeout. Hence Cross-examination of P.W.4 by Accused No.1 is taken as Nil.)

**Cross-examination by Sri.Y.M.M. Adv for Accused No.2 : -**

Hosahalli Police have not given any Notice to me to attend the Spot Mahazar on 18.08.2015. Witness volunteers that Hosahalli Police had called him on his Mobile Phone and instructed him to come near the Spot. Even Hosahalli Police had called C.W.1/P.W.1 to the Spot, on that day. I know C.W.1/P.W.1, as he is from my village, but I do not have any relationship with C.W.1/P.W.1.

It is true to suggest that Signature Ex.P4(b) is affixed by me on Spot Mahazar/Ex.P4 in Hosahalli Police Station. It is false to suggest that I do not know the contents of the Spot Mahazar/Ex.P4.

It is false to suggest that I am deposing falsely in this Case that Hosahalli Police have seized M.O.1 to M.O.7 in my presence as well as in the presence of C.W.6/P.W.3; and drawn the Spot Mahazar as per Ex.P4; by conducting the Spot Mahazar Proceedings inbetween 07.15 p.m. to 08.00 p.m. in the night.

It is false to suggest that I have not gone to the Spot at any point of time; no any mahazar was conducted in my presence, but I have affixed my Signature on Ex.P4/Spot Mahazar in Hosahalli Police Station.

It is false to suggest that I am deposing falsely in this Case in order to help C.W.1/P.W.1, as he happens to be from my Village.

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

I cannot state the Water Bottle/M.O.4 belongs to which company. So also I cannot state that the Poison Bottle/M.O.1, Cool Drinks Bottle/M.O.2 and M.O.3, Mobile Phones/M.O.6 and M.O.7, belongs to which Company. M.O.1 to M.O.7 fallen near the Spot, besides the dead body of Basavaraj.

When I went to the Spot Hosahalli Police Personnel were present on the Spot. Death Note/Ex.P5 was also present at the Spot. I have not seen the presence of any pen on the Spot.

I know deceased Basavaraj right from his childhood. He had studied upto P.U.C.

It is false to suggest that M.O.1 to M.O.7 were not present on the Spot. I do not know the Police Personnel at Hosahalli Police Station, but I am aware about the Police Personnels at Gudekote Police Station.

It is true to suggest that M.O.1 to M.O.7 materials are available everywhere.

It is false to suggest that I am deposing falsely that I was present on the spot; Hosahalli Police have conducted the Spot Mahazar as per Ex.P4; got seized M.O.1 to M.O.7 in my presence as well as in the presence of C.W.6/P.W.3.

**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 : -**

It is false to suggest that C.W.1/P.W.1 is having very close contacts with me. I have affixed my Signatures, but I cannot State as to how many Signatures I have affixed on the papers, on that day.

Hosahalli Police had called me on phone at about 01.00 p.m. to 01.30 p.m. in the afternoon. I had gone to the Spot by 02.00 to 02.30 p.m. in the afternoon. I have affixed my Signatures after 07.00 p.m., it might be around 07.30 p.m.

It is false to suggest that I am deposing falsely in this Case at the instance of C.W.1/P.W.1; without knowing the facts; I have affixed my Signature in Hosahalli Police Station.

(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)