

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

S.C. No.5150/2021

P.W. 01 C.W. 01

Duly Sworn on : 24.01.2026.

Cross-examination by Sri. S.C.P., Adv for Accused Nos.1 & 2:-

The parents house of my mother is Hallikere Thanda. The native place of my father is Garbhagudi Thanda. Before marriage as well as after marriage my mother is staying at Hallikere Thanda. The name of father of my mother is Narasinga Naik. The name of mother of my mother is Nagi Bai. It is true that Sri. Narasinga Naik and his wife Smt. Nagi Bai had 3 children namely my mother, Sri. Kasanya Naik and Smt. Manji Bai. It is true that to my parents we are 4 sons and a daughter. C.W.6, 7, and 13 are my younger brothers. In Sy. No. 120/5 of Hallikere village 3 acres of land is granted in favor of father of accused no.2. The witness volunteers that but, however, patta is granted in favor of father of accused no.2 in respect of land in Satturu bin Chennalli thanda and pahani is entered in Hallikere village; and we are cultivating the said 3 acres of land. It is true that our family and the family of the accused persons are distinct and separate from each other. I have stated before the Police in this case to the effect that my mother has purchased 3 acres of land in Sy. No. 120/5 of Hallikere village from Sri. Gopya Naik. I have no information regarding the year in which my mother purchased the said land and for what amount she purchased it. I have seen the agreement entered into between Sri. Gopya Naik and my mother. I do not know as to in which year the said agreement was executed. Sri. Gopya Naik, Sri. Shankrya Naik and Sri. Meetya Naik have executed the said agreement in favor of my mother. Based on the

said agreement my mother has not given any application before the Revenue authority for change of khata. I do not know if my mother has got obtained a G tree from the office of Tahasildar, Harapanahalli.

It is not true to suggest that the G-tree now read over to me is got prepared by my mother. The witness volunteers that the said G-tree was got prepared by Sri. Shankrya Naik and others. It is not true to suggest that the said G-tree belongs to my mother. The mentioning the name of father of my mother as Sri. Gopya Naik is wrong. The names of the children of my mother mentioned in the said G-tree are correct. It is not true to suggest that based on the said G-tree my mother had given an application before Tahasildar, Harapanahalli, for change of mutation in respect of said 3 acres of land.

Question: Based on the application filed by your mother before Tahasildar, Harapanahalli, for change of mutation in respect of said 3 acres of land, the officials of the said taluk office had come to your house for enquiry?

Answer: We did not know about filing of the said application. 3 months after the death of my mother the said officials had come for enquiry, we came to know that my mother has mistakenly filed G-tree before the said office.

I do not know if Shankrya Naik has given objection before the Tahasildar, Harapanahalli, to the said application filed by my mother. It may be true that on 29.06.2020 Sri. Shankrya Naik had filed said objection, but, however, I do not know about the said fact. I do not know if disputed case is registered based on the said objection. It is true that after the filing of the said objection the G-tree produced by my mother was cancelled by Tahasildar, Harapanahalli. It is not true to suggest that the enquiry was

fixed after cancelling the said G-tree and that myself and my mother were attending the office of the Tahasildar, Harapanahalli, in that connection.

It is true that I am the 4th respondent in the said case. The witness volunteers that during the lifetime of my mother I was not knowing the about the said case and that I attended the office of Tahasildar, Harapanahalli, after the death of my mother. I do not know if the said enquiry would have affected my mother. It is true that if the enquiry was fixed it would have affected my mother. It is not true to suggest that for the said reason my mother consumed poison and died.

It is true that my mother consumed poison on 07.09.2020. It is true that she died in the Hospital on 12.10.2020. It is true that on 12.10.2020 at 02.00 p.m. I have given complaint. The witness volunteers that even after 07.09.2020 itself before Halavagalu Police and Arasikere Police when they visited Bapuji Hospital At Davanagere when my mother was undergoing treatment in the said Hospital. My brother is an employee in the private finance. It is not true to suggest that in between 07.09.2020 and 12.10.2020 neither myself not my brother have given any complaint; and that I am deposing falsely that even after 07.09.2020 itself I had given complaint before Halavagalu Police and Arasikere Police when they visited Bapuji Hospital At Davanagere when my mother was undergoing treatment in the said Hospital.

It is true that my wife is a sister of C.W.2. It is true that my wife is from Channapura thanda. It is not true to suggest that my mother had not gone to the house of the accused persons and not consumed poison near the house of the accused persons. It is not true to suggest that my mother has consumed poison in our own house. It is not true to suggest that the allegation made by me against the accused persons are absolutely false.

To a suggestion that if on 07.09.2020 the accused persons have committed the said overt acts, we would have given complaint against the accused persons on the same day itself, the reply is that we have given a complaint to the Arasikere Police on the same day.

I received a phone call to the effect that my mother was admitted at Arasikere Hospital. Hence, I went to Arasikere Hospital from our village. When I reached Arasikere Hospital the time was around 4.00 p.m. or 4.30 p.m.. When I went to Arasikere Hospital my mother was not in a position to talk. We shifted my mother to Davanagere Hospital. When we reached Davanagere Hospital the time was around 5.30 p.m. or 6.00 p.m.. It is true that till we reached Davanagere Hospital, my mother was not in a position to talk. It is not true to suggest that anyway my mother was died and as such we have planned to knock off the said land we have filed a false case. I have stated in my complaint and also in my statement to the effect that the accused persons have handed over poison to my mother and asked her to consume it and die. It is not true to suggest that I have not stated so in my complaint and also in my statement; and that I am stating so for the first time in my deposition. It is not true to suggest that the accused persons are not responsible for the death of my mother. It is not true to suggest that I am deposing falsely.

Re-examination – 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.