

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

S.C. No.5048/2017 C/W S.C. 5016/2023

P.W. 14 C.W. 26

Name : Govindappa
Father's Name : Chikkappa
Age : 48 years
Occupation : Agriculturist,
Residence : Imbrapura Village.

Duly Sworn on : 18-12-2024.

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

I do not know the Accused persons. I know C.W.27.

About 5 to 6 years back, when I had been to Hosahalli, Hoshalli Police have taken my Signatures on some documents.

Now a document/Cash Seizure Mahazar dated 15.05.2017 is shown to the Witness and questioned him to identify, whether the said document contains his Signature. Witness answers in the Affirmative. On identification, Cash Seizure Mahazar is marked as Ex.P17 and Signature of the Witness is marked as Ex.P17(a). Witness contends that he do not know the contents of the Seizure Mahazar/Ex.P17.

(Now the materials sealed in the Brown Colour Envelope, are unsealed in the presence of the Learned PP for the State and Sri.N.B., Adv for Accused Nos.2 to 8; and found 100 Currency notes of Rs.100/- denomination). Now the said Currency Notes are shown to the witness and questioned him to identify them. Witness fails to identify the said Currency Notes. For identification, said Currency Notes of Rs.10,000/-

under P.F. No.54/2017 is marked as M.O.2. The said Currency Notes are seen in the Positive Photograph. For identification, the said Positive Photograph is marked as M.O.2(A).

Now a document/Vehicle Seizure Mahazar dated 15.05.2017 is shown to the Witness and questioned him to identify, whether the said document contains his Signature. Witness answers in the Affirmative. On identification, Vehicle Seizure Mahazar is marked as Ex.P18 and Signature of the Witness is marked as Ex.P18(a). Witness contends that he do not know the contents of the Seizure Mahazar/Ex.P18.

Now Witness Stepsdown from the Witnessbox went to see the Motorcycle parked in the Court Premises. On entering into the Witness Box, took oath and contended that he do not identify the Motor-cycle. For identification, Motor cycle bearing Registration No.KA-16/ED-4746 seized under P.F. No.57/2015 is marked as M.O.3. The said Motorcycle is seen in the Positive Photograph. For identification, the said Positive Photograph is marked as M.O.3(A).

Now a document/Cash Seizure Mahazar dated 15.05.2017 is shown to the Witness and questioned him to identify, whether the said document contains his Signature. Witness answers in the Affirmative. On identification, Cash Seizure Mahazar is marked as Ex.P19 and Signature of the Witness is marked as Ex.P19(a). Witness contends that he do not know the contents of the Seizure Mahazar/Ex.P19.

(Now the materials sealed in the Brown Colour Envelope, are unsealed in the presence of the Learned PP for the State and Sri.N.B., Adv for Accused Nos.2 to 8; and found 100 Currency notes of Rs.100/-

denomination). Now the said Currency Notes are shown to the witness and questioned him to identify them. Witness fails to identify the said Currency Notes. For identification, said Currency Notes of Rs.10,000/- under P.F. No.56/2017 is marked as M.O.4. The said Currency Notes are seen in the Positive Photograph. For identification, the said Positive Photograph is marked as M.O.4(A) (M.O.2(A) and M.O.4(A) are in one Positive Photograph.

Now a document/Vehicle Seizure Mahazar dated 16.05.2017 is shown to the Witness and questioned him to identify, whether the said document contains his Signature. Witness answers in the Affirmative. On identification, Vehicle Seizure Mahazar is marked as Ex.P20 and Signature of the Witness is marked as Ex.P20(a). Witness contends that he do not know the contents of the Seizure Mahazar/Ex.P20.

Now Witness again Stepsdown from the Witnessbox went to see the Ashokleyland Goods Van bearing Registration No.KA-17/C-7764 parked in the Court Premises. On entering into the Witness Box, took oath and contended that he do not identify the Ashokleyland Goods Van. For identification, Ashokleyland Goods Van bearing Registration No.KA-17/C-7764 seized under P.F. No.59/2015 is marked as M.O.5. The said Ashok Leyland Goods Van is seen in the Positive Photograph. For identification, the said Positive Photograph is marked as M.O.5(A).

Now Witness again Stepsdown from the Witnessbox went to see the Car bearing Registration No.KA-03/AB-9851 parked in the Court Premises. On entering into the Witness Box, took oath and contended that he do not identify the Car. For identification, Car bearing Registration No.KA-03/AB-

9851 seized under P.F. No.59/2015 is marked as M.O.6. The said Car is seen in the Positive Photograph/Ex.P3.

Now Red Colour Rope present in the Open Court is shown to the Witness and questioned him to identify the same. Witness fails to identify it. For identification, the said Red Colour Rope is marked as M.O.7.

Now Seizure Mahazar/Ex.P4 is shown to the Witness and questioned him to identify, whether the said document contains his Signature. Witness answers in the Affirmative. On identification, Signature of the Witness on the Seizure Mahazar/Ex.P4 is marked as Ex.P4(b). Witness contends that he do not know the contents of the Seizure Mahazar/Ex.P4.

Now Sample Arecanut present in the Open Court, produced under P.F. No.61/2017(7) is shown to the Witness and questioned him to identify the same. Witness fails to identify it. For identification, the Sample Arecanut is marked as M.O.8.

Now a Positive Photograph is shown to the Witness and questioned him to identify the Arecanut Bales seen in it. Witness fails to identify the same. For identification, the said Photograph is marked as Ex.P21.

**(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 PP

It is false to suggest that, on 15.05.2017, Accused No.3 has produced Rs.10,000/- before Hosahalli Police for which, Hosahalli Police have seized the said money, which is marked as M.O.2, by drawing the

Seizure Mahazar, as per Ex.P17, got clicked Positive Photograph, as per M.O.2(A), in my presence as well as in the presence of C.W.27; the said Mahazar proceedings were conducted inbetween 05.15 p.m. to 05.30 p.m. in the evening.

It is false to suggest that, on 15.05.2017, Accused No.6 has produced motorcycle bearing Registration No.KA-16/ED-4746 before Hosahalli Police for which, Hosahalli Police have seized the said motorcycle, which is marked as M.O.3, by drawing the Seizure Mahazar, as per Ex.P18, got clicked Positive Photograph, as per M.O.3(A), in my presence as well as in the presence of C.W.27; the said Mahazar proceedings were conducted inbetween 06.15 p.m. to 06.45 p.m. in the evening.

It is false to suggest that, on 15.05.2017, Accused No.6 has produced Rs.10,000/- before Hosahalli Police for which, Hosahalli Police have seized the said money, which is marked as M.O.4, by drawing the Seizure Mahazar, as per Ex.P19, got clicked Positive Photograph, as per M.O.3(A), in my presence as well as in the presence of C.W.27; the said Mahazar proceedings were conducted inbetween 06.30 p.m. to 07.00 p.m. in the evening.

It is false to suggest that, on 16.05.2017, Accused No.5 has produced the Ashokleyland Goods Vehicle bearing Registration No.KA-17/C-7764 and Red Colour Rope; and Accused No.7 has produced the Car bearing Registration No.KA-03/AB-9851 before Hosahalli Police for which, Hosahalli Police have seized the said Ashok Leyland Goods Van, which is marked as M.O.5, Car marked as M.o.6 and Red Colour Rope marked as

M.O.7, by drawing the Seizure Mahazar, as per Ex.P20, got clicked Positive Photographs, in my presence as well as in the presence of C.W.27; the said Mahazar proceedings were conducted inbetween 08.00 a.m. to 08.45 a.m. in the morning.

It is false to suggest that, on 16.05.2017, Accused Nos.3 and 6 have produced Arecanut Bales before Hosahalli Police for which, Hosahalli Police have seized the Arecanut Bales, seen in Positive Photograph/Ex.P21, of which Samples were removed, as per M.O.8, by drawing the Seizure Mahazar, as per Ex.P4, got clicked Positive Photograph, in my presence as well as in the presence of C.W.27; the said Mahazar proceedings were conducted inbetween 10.20 a.m. to 11.00 a.m. in the morning.

It is false to suggest that I am deposing falsely in this case, in order to help the Accused persons.

Cross-examination by Sri.K.Y. Adv for Accused Nos.2 to 8 : -

(Sri.N.B., Adv for Accused persons submits that, Accused persons have No Cross Examination towards P.W-14. Hence, Cross Examination of P.W-14 by Accused persons is taken as 'Nil').

Re-examination - **Nil** -.

(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)