

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

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

P.W. 16 C.W. 28

Name : Sri.Adivappa  
Father's Name : Sri.Haluru Hanumanthappa  
Age : 38 years  
Occupation : Agriculturist,  
Residence : Khanahosahalli village.

Duly Sworn on : 11-09-2025.

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

I do not know the accused persons. (Learned defence Counsel submits that he does not dispute the identity of the accused persons.) I do not know CW.29 – Sri.Mahesh.

Now I see my signature in a document (mahazar dated 15.05.2017, drawn from 05.45 p.m. to 06.00 p.m.) which is now shown to me. The said mahazar is marked as **Ex.P.22** and my signature as **Ex.P.22(a)**. Now I see my signature in a document (mahazar dated 16.05.2017, drawn from 06.15 a.m. to 06.30 a.m.) which is now shown to me. The said mahazar is marked as **Ex.P.23** and my signature as **Ex.P.23(a)**. Now I see my signature in a document (mahazar dated 16.05.2017, drawn from 07.30 a.m. to 08.00 a.m.) which is now shown to me. The said mahazar is marked as **Ex.P.24** and my signature as **Ex.P.24(a)**. Now I see my signature in a document (mahazar dated 16.05.2017, drawn from 12.45 p.m. to 01.15 p.m.) which is now shown to me. The said mahazar is

marked as **Ex.P.25** and my signature as **Ex.P.25(a)**. I do not know the contents of Ex.P.22 to Ex.P.25. Now I see 4 photos. In all the 4 photos I am present. I am wearing red and white colour full arm checks shirt and white panche in the said photos. The said photos are marked as **Ex.P.26 to Ex.P.29**. The said photos are taken at highway and also at police station. I do not know why the said photos are taken. Now I see Rs.4,800/- which is now shown to me. I have not seen the said cash amount earlier. The said cash amount is marked as **M.O.9** (since the said material objects are currency notes, the said notes are kept in a cover and marking is done over the cover). Now I see Rs.1,800/- which is now shown to me. I have not seen the said cash amount earlier. The said cash amount is marked as **M.O.10** (since the said material objects are currency notes, the said notes are kept in a cover and marking is done over the cover). Now I see Rs.1,200/- which is now shown to me. I have not seen the said cash amount earlier. The said cash amount is marked as **M.O.11** (since the said material objects are currency notes, the said notes are kept in a cover and marking is done over the cover).

**( 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 15.05.2017, the Police Investigating Officer has conducted a mahazar as per Ex.P.22 from 05.45 p.m. to 06.00 p.m. at the Hosahalli police station in the presence of myself and CW.29 and seized M.O.9 – Rs.4,800/- from accused No.4 – Sri.Ramesh.

It is not true to suggest that on 16.05.2017, the Police Investigating Officer has conducted a mahazar as per Ex.P.23 from 06.15 a.m. to 06.30 a.m. at the Hosahalli police station in the presence of myself and CW.29 and seized M.O.10 – Rs.1,800/- from accused No.5 – Sri.Thippanna @ Thippeswamy.

It is not true to suggest that on 16.05.2017, the Police Investigating Officer has conducted a mahazar as per Ex.P.24 from 07.30 a.m. to 08.00 a.m. at the Hosahalli police station in the presence of myself and CW.29 and seized M.O.11 – Rs.1,200/- from accused No.5 – Sri.Thippanna @ Thippeswamy.

It is not true to suggest that on 16.05.2017, the Police Investigating Officer has conducted a mahazar as per Ex.P.25 from 12.45 p.m. to 01.15 p.m. at the alleged scene of offence namely near star dhaba, situated at a distance of about 4 Kms away from Hosahalli town, by the side of N.H-50, as shown by accused Nos.3, 4, 5, and 7 in the presence of myself and CW.29. It is not true to suggest that Ex.P.26 to Ex.P.29 – photos are taken at the time of conducting of Ex.P.22 to Ex.P.25 – mahazars. It is not true to suggest that though said mahazars are conducted at the above suggested places, though M.O.9 to M.O.11 are seized under Ex.P.22 to Ex.P.24 – mahazars and though Ex.P.26 to Ex.P.29 – photos are taken in the above suggested manner and though I know all the above suggested facts, yet I am deposing falsely to help the accused.

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

- Nil -.

(Typed to my dictation in the open Court)

**R O I & A C**

**(D.P.KUMARA SWAMY)**  
III Additional District & Sessions Judge,  
Ballari (sitting at Hosapete)