

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

S.C.NO. 5048/2017

C.W. 7 P.W. 4

Name : Ravindranath
Father/Husband's Name : Shivappa
Age : 44 years
Occupation : Private
Residence : Davanagere

Duly Sworn on : 21-01-2020

Examination-in-chief by: P.P.

I am owning a stall at Davanagere A.P.M.C. yard. I do Areachanut business. Accused No.3 Prakash Naik and A-6 Vasu Naik came to me on 05.05.2017 alongwith 20 bags of whole Areacha nut, witness identifies A-3 and A-6. A-3 told me that his father is not well hence he need money for treatment. Hence he intends to sell Areacha nut. He had handed over 20 bags of Areacha nut and received advance amount of Rs.1,00,000/-. After lapse of 04 to 05 days A-3 and 6 came alongwith police to my shop. Then I came to know that the Areacha nuts were stolen. Police draw Panchanama as per Ex.P-4, Ex.P-4(a) is my signature. Police took out samples from each bag, now I see the sample of Areacha nut it is marked as M.O-1. Police took photograph as per Ex.P-5. Myself, A-3 and 6 are figured out in photograph, my shop is also visible. Police recorded my statement.

Cross-examination by Sri.A.B.B., advocate for accused No.2 to 7

From past 04 years I doing Areacha nut business. My shop is registered one. Police didn't took my registration documents. I am paying tax to A.P.M.C. Police didn't ask those documents. I cannot say my monthly transaction, it depends on season. I have not paid any other taxes. Normally from new customers I used to enquire about their details. It is false to suggest that always new customers will visit my shop. I received 20 bags of Areacha nut from accused. Accused brought it in a TATA Ace vehicle, I cannot say its number. It is not correct to suggest that TATA Ace cannot carry 20 bags of Areacha nut. I have not stated before police about payment of Rs.1,00,000/-. It may be around 2 to 2.30 p.m. when the accused person came to my shop. I have not taken any document regarding payment. I have entered the said payment in my account. Police didn't ask me for it. Accused took Rs.1,00,000/- as advance and told me to collect the remaining balance later. After 04 days accused person again came and received Rs.4,70,000/-. I had that much of cash in my shop. I didn't obtain any written document regarding this transaction. One Akbar and another Coolie unloaded the bags from vehicle. It is true that payment of money was not stated before police. Myself paid the money to accused person at about 05.30 p.m. On that day I brought money from my home and handed it over in my shop. On the date of handing over Areacha nut bags, I was away from my shop. By the time I reach my shop the bags were already unloaded to our shop in presence of my Uncle. It is true that I have not mentioned my Uncle's name anywhere before police. It is true that before police I have stated that myself received Areacha nut bags. It is false to suggest that for the first time I have seen A-3 and A-6 before this Court. It is false to suggest that accused No.3 and 6 didn't bring any Areacha nut bags to me. It is true that for the first time I am disclosing about payment of money to

accused. It is false to suggest that police told me that the accused No.3 and 6 have sold Areacha nut to me. It is false to suggest that I have not paid any money and deposing false to trouble the Accused No.3 and 6 at the instance of C.W-1.

(Typed to my dictation in the open Court)

R O & E A

3rd A.D.J., HOSPET