

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

Spl.C.No.5005/2019

P.W. 01 C.W. 02

Name : B.Manjunath
Father's Name : Doreswamy
Age : 50 years
Occupation : Office Superintendent, B.E.O. Office,
Davanagere.
Residence : Davanagere.

Duly Sworn on : 15-07-2022.

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

I was serving as a F.D.A. in D.D.P.I. Office Davanagere from 2011 to 2016.

On 08.05.2014 our Office received a requisition from Lokayuktha Police Davanagere, to give an Official to act as a Pancha. Myself and C.W-3 were deputed from my Office to act as a Pancha. We attended the Office of Lokayuktha Police Davanagere at about 06.30 p.m. in the evening. The Inspector of Lokayuktha Police Davanagere instructed us to appear before him, in his office, on the next day in the morning at 07.00 a.m. Accordingly we have visited the Office of Inspector Lokayuktha Police Davanagere on the next day i.e., on 09.05.2014 at 07.00 a.m. The said Inspector introduced C.W-1 to both of us, contending that C.W-1 has lodged a Complaint and we have to proceed to the place, where he takes. Prior to proceeding to the place the Inspector Lokayuktha Police

Davanagere, demonstrated 10 Hundred Rupees Notes; 02 chemicals were put in a water, then it was put in a glass, the said water had turned into pink colour. I remember the name of the one chemical as Sodium Carbonate. I do not remember the name of another chemical. I do not remember what was done to the water in which the said two chemicals were added, which had turned into pink colour. I have written the series of Currency Notes on a White Paper. Now I see the said written White Paper, showing the series of Currency Notes written by me. On identification the said documents is marked as Ex.P-1. Signature of the witness is marked as Ex.P-1(A). Something was got written by the Inspector Lokayuktha Police Davanagere, but I do not remember as to what he had got written at that time. But we have read over and have affixed our signatures over it. Now I identify my signatures on the said document. On identification of the signature by the witness, the said document for identification is marked as Ex.P-2. Signature of the witness on each page of the document are marked as Ex.P-2(a) to Ex.P-2(h).

Prior to proceeding the Inspector Lokayuktha Police Davanagere has played the voice recording taken place inbetween C.W-1 and one Parashuram, Planning Officer of Devadasi Rehabilitation project, for having demanded illegal gratification interms of money. The said voice recordings was converted into C.D. The said C.D. was handed over to C.W-22, in our presence. They have conducted some procedure on which they have obtained our signature on the papers and on the C.D.

We left the Office of Inspector Lokayuktha Police Davanagere at 09.15 a.m. in the morning and came to Harapanahalli at about 11.15 a.m.

Near Kote Anjineya Circle, C.W-1 again called Parashuram on Mobile Phone and asked him to come near the Circle. Thereafter against C.W-1 called Parashuram on Mobile Phone and asked him to come near Abhiruchi Hotel. I was sitting on a different table, adjacent to the table on which C.W-1 was sitting, in the said Hotel. One Parashuram came and sat on the same table, wherein C.W-1 was sitting, but he sat opposite to C.W-1. Parashuram asked C.W-1 whether he has brought money. C.W-1 gave 10 Hundred Rupees Currency Notes to Parashuram. Parashuram counted the said Currency Notes, on suspicion Parashuram asked C.W-1 whether any Powder is applied to the said Currency Notes. On counting the said Notes he kept the said Notes in the Inner Side of Front Pocket of his Shirt. Inspector Lokayuktha Police Davanagere had instructed C.W-1 to give signal by wiping the face with the Kerchief, when Parashuram received the Currency Notes. Accordingly on receipt of the Currency Notes by Parashuram, C.W-1 wiped his face with his Kerchief and given signal to the Lokayuktha Police. Thereafter Lokayuktha Police came near the place where Parashuram had sat. Parashuram is before this Court in the Accused Courtyard.

Thereafter Lokayuktha Police came and sat besides Parashuram and asked him to takeout the Notes from his Inner Side of Front Pocket of his Shirt. Many people gathered on the spot. The Lokayuktha Police called their jeep and took Parashuram in their jeep to Child Development Office, near Kote Anjineya Circle, Harapanahalli. In the said Office the Lokayuktha Police asked Parashuram to remove his Shirt and to put another Shirt. In the said Office the Lokayuktha Police asked Parashuram to dip his hands in the liquid containing the chemical, the said chemical

turned into pink colour. Again Lokayuktha Police took the Shirt worn by Parashuram and dip the portion of the pocket in the said liquid chemical. The Front Pocket portion of the said Shirt turned into pink colour. Thereafter Lokayuktha Police seized the Shirt of Parashuram. The said proceedings were taken time upto 12.45 p.m. Lokayuktha Police have taken signature of myself as well as Parashuram on the papers attached to the Shirt seized by them. (One seized envelope, closed with seals, opened in the Open Court, in the presence of learned Spl.P.P. and the learned counsel appearing for the Accused. The said sealed envelope contains Brown Stripped half sleeves stitched Shirt). The said Shirt is marked as M.O-1. Now I see my signature on the slip affixed on the sealed envelope wherein M.O-1/Shirt was kept. Signature of the witness is marked as M.O-1(a). Even we have affixed our signatures on the glass bottles containing chemical. I do not know as to how many bottles were there. Now I see my signatures on 14 glass bottles. On identification of 14 glass bottles, the said 14 glass bottles are collectively marked as M.O-2. For identification one signature of the witness on one bottle out of 14 glass bottles is marked as M.O-2(a). The Currency Notes taken from Parashuram were also seized and kept in a Brown colour envelope and took our signatures. Now I see Brown colour envelope wherein I have affixed my signature (Envelope is sealed. The said envelope is opened in the Open Court in the presence of learned Spl.P.P. and learned counsel for the Accused. The said envelope contains 10 Hundred Rupees Currency Notes). The said envelope is marked as M.O-3. Signature of the witness is marked as M.O-3(a). 10 Hundred Rupees Currency Notes collectively marked as M.O-3(A).

At that time the wife of Parashuram had come to Child Development Office, wherein Parashuram was working. The said proceedings was completed by evening 07.00 p.m. on the said day. All the writings were done in the Child Development Office only by the Police. I have affixed my signatures on the said documents, on which the Lokayuktha Police have written the proceedings in the Child Development Office. Now I see my signature on the document. I have affixed my signature on each page. On identification of signature by the witness on the document, the said document is marked as Ex.P-3 and one of the signature of the witness on the said document is marked as Ex.P-3(a); and the signature of the witness on the last page of the document is marked as Ex.P-3(b).

Lokayuktha Police have clicked photos in their Office. I can identify the said photos. On identification of the said 25 Positive Photographs, the said 25 Positive Photographs are marked as Ex.P-4 to Ex.P-28.

Likewise Lokayuktha Police have clicked Photographs in Child Development Office. I can identify the said photos. On identification of the said 24 Positive Photographs, the said 24 Positive Photographs are marked as Ex.P-29 to Ex.P-52.

Likewise Lokayuktha Police have clicked 02 Positive Photographs in Abhiruchi Hotel. I can identify the said photos. On identification of the said 02 Positive Photographs, the same are marked as Ex.P-53 and Ex.P-54.

Now I see Positive Photograph which is marked as Ex.P-30, wherein C.W-19 is pouring chemical in a glass container; Accused is sitting;

C.W-20 is sitting besides Right Side of the Accused; Besides C.W-20, C.W-3 is standing (Yellow Shirt); Person in the White Shirt is the Inspector/C.W-25. I do not know as to who is the person, who is wearing Blue Stripped Shirt, seen in Positive Photograph Ex.P-30.

(Since Court time for the 1st half is over. Witness is bound over to the 2nd half).

(Typed to my dictation in the open Court)

R O I & A C

Sd/-

(ABDUL-RAHIMAN .A. NANDGADI)
III Additional District & Sessions Judge,
Ballari (sitting at Hosapete)

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

Spl.C.No.5005/2019

P.W. 01 C.W. 02

In the 2nd half witness duly Sworn on : 15-07-2022.

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

The entire proceedings were typed in the Laptop pertaining to the Department.

Thereafter Lokayuktha Police have issued requisition to Junior Engineer, P.W.D., Harapanahalli/C.W-15; on securing her, we were asked to accompany her to Abhiruchi Hotel and to show the spot. Accordingly I have shown the spot to C.W-15. She has taken note of a sketch of the spot.

Cross-examination by Sri.T.M.S., Adv for Accused:-

(Sri.B.S. Adv for Accused prays time to cross examine. Cross examination of P.W-1 is deferred on cost of Rs.500/-).

(Typed to my dictation in the open Court)

R O I & A C

Sd/-

(ABDUL-RAHIMAN .A. NANDGADI)
III Additional District & Sessions Judge,
Ballari (sitting at Hosapete)