

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

S.C. No.5057/2020

P.W. 06 C.W. 07

Name : Manjappa
Father's Name : Lingappa @ Mandappa
Age : 38 years
Occupation : Coolie
Residence : Harakanahal.

Duly Sworn on : 28-08-2024.

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

I know C.W.16/P.W.2; I know deceased Kattebennur Hanumantha and the Accused. I know CW-1/PW-1.

About five years back, myself and my cousin Brother/C.W.16/P.W.2 alongwith my Son had been to Hirehadgali Government Hospital; while returning, we saw the Accused alongwith Kattebennur Hanumantha came on motor-bike near Brandy Shop, Hadagali. Even we had gone to the said Shop. We asked Accused and Kattebennur Hanumantha to come alongwith us to Harakanahal Village, for which they told us that they will come subsequently.

On the next day, I came to know that Accused has committed the murder of Kattebennur Hanumantha, but I do not know as to for what reason Accused has committed the murder of Kattebennur Hanumantha.

On receiving the information about the murder of Kattebennur Hanumantha, I went to the Spot and saw the dead body of Kattebennur Hanumantha, lying on the said Spot.

Now six Positive Photographs/Ex.P2 to Ex.P7 are shown to the Witness and questioned him to identify them. Witness contends that the said Photos pertains to the dead body of Kattebennur Hanumanthappa, found lying on the Spot.

I can identify the Motor-cycle with which Accused had come with Kattebennur Hanumantha to a Brandy Shop situate at Hirehadagali. (Witness Stepdown from the Witnessbox went to see the Motor-cycle parked in the Court Premises, on entering into the Witness Box took oath) and identifies the said Motor-cycle, which is already marked as M.O.11.

I have given Statement before Hirehadgali Police.

**(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 true to suggest that, Kattebennur Hanumantha and Accused were friends; Kattebennur Hanumantha had shown the house of the Accused to Police Authorities, at the time of conducting Raid upon the house of the Accused, inconnection with a Crime registered against the Accused alleging to have committed the

offence relating to counterfeiting of currency notes; the Accused had raised loan of Rs.35,000/- in the name of the wife of Kattebennur Hanumantha; with an intention to defraud repayment of the said loan; and with a vengeance upon Kattebennur Hanumanatha for having shown his house for conducting the raid, Accused had taken Kattebennur Hanumantha to Brandy shop at Hirehadgali; on administering alcohol to Kattebennur Hanumantha, committed his murder near the Tumbinakere Stream, wherein the dead body of Kattebennur Hanumantha was lying.

It is true to suggest that, I came to know that Accused had hidden Machu/Lang; his clothes and motor-cycle in his house.

Cross-examination by Sri. G.V.P., Adv for Accused:-

I had been to Hirehadagali Liquor Shop at about 09.00 p.m. in the night. Within 2 minutes, I came out of the said Liquor Shop. On that day, I have purchased liquor worth Rs.100/-. I have not received any Bill from the said Liquor Shop for having purchased liquor worth Rs.100/-. Even general public will be available in the said liquor Shop. Even the Liquor Shop Owner was present in the said Shop, when I had been to the said Liquor Shop. It is true to suggest that, Liquor Shop is under C.C.T.V. Surveillance.

Prior to recording my Statement by Hirehadagali Police, Hirehadagali Police have shown me the C.C.T.V. Footage of the said

Liquor Shop, and asked me to identify myself in the said C.C.T.V. Footage. On identification, they have recorded my Statement.

It is false to suggest that, I am deposing falsely that myself, my Son and C.W.16/P.W.2 had been to Hirehadagali Government Hospital, from there, we had been to Liquor Shop at Hirehadgali, wherein we have seen the Accused and Kattebennur Hanumantha coming on a motor-cycle to the said shop; we had talked with the Accused and Kattebennur Hanumantha, asking them to return alongwith us to Harakanahal Village, for which they replied that they will come subsequently.

It is true to suggest that, in front of Hirehadgali Liquor Shop, several two wheeler Motor-cycles will be parked.

The Motor-cycle on which the Accused and Kattebennur Hanumantha had come to the Liquor Shop bears a Red Colour; but I do not know the name of the company of the said Motor-cycle; and its Registration Number.

Only once, I have given Statement before Hirehadagali Police in this Case, i.e., in Hirehadgali Police Station.

Prior to giving such Statement before Hirehadagali Police, in Hirehadagali Police Station, I was not aware about the fact that

Accused had raised loan in the name of the wife of Kattebennur Hanumantha; and the fact that Kattebennur Hanumantha has shown the house of the Accused for conducting the Raid in the Crime registered against the Accused alleging to have counter-fiet Indian Currency Notes.

Even I was not aware about the fact of hiding of Machu/Lang, Motor-cycle and clothes by the Accused in his house, prior to giving my Statement before Hirehadgali Police.

I do not know as to what has been got written in my Statement, by the Hirehadagali Police.

I came to know about the facts in this Case, today itself; and deposing the same in this Case.

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).