

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

**S.C. No.5057/2020**

P.W. 07 C.W. 09

Name : Hulikatti Veeresh  
Father's Name : Shanmukhappa  
Age : 41 years  
Occupation : Agriculturist,  
Residence : Harakanahal.

Duly Sworn on : 28-08-2024.

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

I know C.W.8 and C.W.1/P.W.1; I know C.W.7/P.W.6 and C.W.16/P.W.2. I know deceased Kattebennur Hanumantha and the Accused, as they are from my Village.

Accused and Kattebennur Hanumanthappa were friends in our Village; their respective residential houses are located near my residence. Both the Accused and Kattebennur Hanumanthappa were living together; and they used to consume alcohol, jointly; they both were roaming on the Motor-cycle. I can identify the said Motor-cycle/M.O.11. M.O.11/Motor-cycle present in the Court premises is identified by the Witness.

About five years back, C.W.1/P.W.1 took me to the place, where the dead body of Kattebennur Hanumantha was lying, contending that murder of Kattebennur Hanumantha is caused. Accordingly, I went to the said Spot alongwith C.W.1/P.W.1. C.W.1/p.W.1 has shown the Spot to Hirehadagali Police, wherein Hirehadagali Police

have conducted the Spot Mahazar, got seized Simple Mud, Blood Stained Mud, Lungi, Towel, Whisky Bottle, Tobacco Chit, Lime paste Packet and Rs.10/- Indian Currency Note; at that time, even C.W.8 was also present. I can identify the said Articles, seized by Hirehadagali Police. Hirehadagali Police have taken my Signature on the Spot Mahazar.

Now Spot Mahazar/Ex.P8 is shown to the Witness and questioned him to identify, whether the said document contains his Signature. Witness identifies his Signature. On identification, Signature of the Witness on the Spot Mahazar/Ex.P8 is marked as Ex.P8(b); and Signature of the Witness on the Sketch/Ex.P9 is marked as Ex.P9(b).

Now four Positive Photographs/Ex.P10 to Ex.P13 are shown to the Witness and questioned him to identify the same. Witness contends that the said Photographs were clicked at the time of conducting the Spot -cum- Seizure Mahazar.

The said spot -cum- Seizure Mahazar was conducted inbetween 02.30 p.m. to 03.30 p.m.

Now M.O.1 to M.O.8 present in the Open Court are shown to the Witness and questioned him to identify the same. Witness contends that the said Articles were seized under the Spot -cum- Seizure Mahazar/Ex.P8.

Now Macchu/Long 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 Macchu is marked as M.O.12.

I do not know what is the reason for commission of murder of Kattebennur Hanumantha.

I have not given any statement before Hirehadagali Police in this case.

**( 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, prior to the death of Kattebennur Hanumantha, I have advised him to be conscious with the Accused that, the Accused had kept Macchu/Long near the water pond, located besides my agricultural land.

It is false to suggest that, subsequently, I came to know that, Accused had raised loan of Rs.35,000/- in the name of the wife of Kattebennur Hanumantha; and the Accused had kept vengeance upon Kattebennur Hanumantha, as he had shown the house of Accused at the time of conducting the raid, in a crime registered against the Accused, alleging that the Accused is involved in counterfeiting of Currency Notes.

It is true to suggest that, C.W.7/P.W.6 and C.W.16/P.W.2 were contending near the spot, where the deadbody of Kattebennur Hanumantha was lying, at the time of conducting Spot-cum-Seizure Mahazar/Ex.P.8, that they had seen Accused and Kattebennur Hanumantha, on previous night near Brandy Shop situate at Hirehadagali.

It is false to suggest that C.W.5/Basamma, the wife of Kattebennur Hanumantha came near the Spot, where the dead body of Kattebennur Hanumantha was lying, at the time of conducting the Spot -cum- Seizure Mahazar/Ex.P8 and contended that previous night her husband/Kattebennur Hanumantha had been with Accused; and he had not returned to her residence in the night.

It is true to suggest that, subseuqnetly, I came to know that Accused had hidden the Machu/Lang/M.O.12, Motor-cycle/M.O.11 and his Clothes in his house. Witness volunteers that he came to know about the said fact, after Hirehadgali Police had come to the Spot, at the time of conducting the Spot Mahazar.

It is true to suggest that, on 02.09.2019, Hirehadagali Police have enquired me in this Case and have got recorded my Statement.

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

It is true to suggest that, my Signature found on the Sketch/Ex.P9, as per Ex.P9(b), is affixed by me in Hirehadagali Police Station.

In this Case, I have affixed my two Signatures; and both my Signatures I have affixed in Hirehadagali Police Station.

I have narrated the contents of the Spot -cum- Seizure Mahazar to Hirehadagali Police, and got it Written. I do not know the contents of the Spot -cum- Seizure Mahazar/Ex.P8.

I have stated before Hirehadagali Police that C.W.7/p.W.6 and C.W.16/P.W.2 were talking near the Spot, where the dead body of Kattebennur Hanumantha was lying, at the time of conducting Spot -cum- Seizure Mahazar/Ex.P8, that they had seen Accused and Kattebennur Hanumantha on the previous night, near Brandy Shop at Hirehadagali. On my said narration, Hirehadagali Police have recorded my Statement, on the same day of conducting the Spot -cum- Seizure Mahazar/Ex.P8.

It is true to suggest that, Kattebennur Hanumanthappa was also called by the name Koli Hanumanthappa. I do not know whether, Kattebennur Hanumanthappa was called by the name Koli Hanumanthappa, since he was stealing Chiken/Koli, in our Village in the night. I do not know whether villagers had sustained nuisance due to stealing of Chiken by Kattebennur Hanumantha. I do not know whether Kattebennur Hanumantha used to steal the

Agricultural Proceeds from the Agricultural lands of the Villagers, in the night.

I do not know personally as to the personal affairs of Kattebennur Hanumantha.

It is true to suggest that, I came to know about the facts in this Case, today itself; so I am deposing it.

It is false to suggest that, I am deposing falsely that Accused and Kattebennur Hanumantha were friends; they were living together; they were moving on the motor-cycle/M.O.11; and they were consuming Alcohol jointly.

It is false to suggest that, I am deposing falsely that M.O.1 to M.O.8 have been seized by Hirehadagali Police, in my presence, by drawing the Spot \_cum- Seizure Mahazar, as per Ex.P8.

It is false to suggest that, I have never gone to the Spot, where the dead body of Kattebennur Hanumantha was lying; never participated in the Spot -cum- Seizure Mahazar/Ex.P8.

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).