

**IN THE COURT OF THE ADDITIONAL DISTRICT & SESSIONS JUDGE,
VIJAYANAGARA DISTRICT, HOSAPETE.**

S.C. No.5058/2020

P.W. 03 C.W. 10

Name : Basavaraja
Father's/Husband's Name : Mallikarjuna
Age : 52 years
Occupation : Employee in Forest Department.
Residence : Kalasapura, Hadagali taluk.

Duly Sworn on : 19-12-2025.

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

I know C.W.9. I know the accused who is present before the Court through V.C.. Now I see my 4 signatures in Ex.P.15 mahazar dated 28.04.2019 which are now shown to me. My said signatures are now marked as **Ex.P.15(e) to (h)**. Now I see Ex.P.16 to 23 photos (8 in number) now shown to me. The person wearing full arm white shirt in all those photos is myself. Now I see my signature in Ex.P.24 rough sketch dated 28.04.2019 which is now shown to me. My said signature is now marked as **Ex.P.24(b)**. Now I see M.O.9 a big stone. I have not seen the said stone earlier.

(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 the C.P.I. Hadagali circle Sri. Malatesh N Kunabevu (C.W.40) has conducted running mahazar as per Ex.P.15 in the presence of myself and C.W.9 as follows: It is not true to suggest that on

28.04.2019 the said C.W.40 conducted mahazar at the Hirehadagali Police Station at 9.00 a.m. regarding the statement given by the accused before C.W.40 to the effect that if the C.W.40 accompanies the accused, the accused would show the place of incident and would produce the stone which he used for committing murder. It is not true to suggest that on the same date the said C.P.I. has conducted mahazar at the forest area situated in between Kunchuru and Hyarada from 10.30 a.m. to 11.15 a.m. and seized M.O.9 stone which was produced by the accused saying that he had used the said stone for commission of murder. It is not true to suggest that same date the said C.P.I. has conducted mahazar at the forest area situated in between Kunchuru and Hyarada from 11.20 a.m. to 11.35 a.m. where the dead body was thrown after the commission of the murder. It is not true to suggest that the distance between the said place where M.O.9 was seized and the said place where the dead body was thrown is around 250 ft.. It is not true to suggest that at a distance of 70 ft. from the place where dead body of the wife of the accused was thrown, the said C.P.I. has conducted mahazar from 11.40 a.m. to 12.00 noon at the place where the dead body of the daughter of the accused was thrown after the commission of the murder. It is not true to suggest that at the times of drawing of the said running mahazar the said C.P.I. caused taken Ex.P.16 to 23 photos at the said places and drawn the rough sketch of the said places as per Ex.P.24. It is not true to suggest that my signatures in Ex.P.15 and Ex.P.24 were taken at the said places after recording the proceedings of each mahazar as per Ex.P.15 running mahazar. It is not true to suggest that the contents of Ex.P.15 and Ex.P.24 were read over and explained to me and that after understanding the contents thereof I have put my said signatures in the said two documents. It is not true to

suggest that even though the accused lead C.W.40 to the said 3 places and even though the accused produced M.O.9 before C.W.40 in the presence of myself and C.W.9, even though the above noted proceedings have taken places at the said places and at the said times in the presence of myself and C.W.9, and even though I am aware of all the above suggested facts, in order to help the accused person I am deposing falsely.

Cross-examination by Sri. S.C.P., Adv for Accused :- submits nil.

(Typed to my dictation in the open Court)

R O I & A C

(D.P.KUMARA SWAMY)

Additional District & Sessions Judge,
Vijayanagara District, Hosapete.