

**In the Court of II Addl. District & Sessions and Special Judge,
VIJAYAPURA, At: VIJAYAPURA.**

SESSIONS CASE NO.77/2024

CW No.16

PW No.08

Deposition of : Mahadev Yalagond

Father Name : Ningappa

Age : 70 years

Occupation : Agriculture work

Residence : Halihal

Duly Sworn on: 02/02/2026.

**Examination-in-Chief by Ld. Spl. P.P.(PP attached to the Court
of the III Addl. District and Sessions Judge, Vijayapura):**

C.W.1/P.W.1, C.W.5/P.W.3, C.W.6/P.W.4, C.W.7/P.W.5 and Hanumantaray are my sons; C.W.12/P.W.6 and C.W.13 are my daughter's in law. I know C.W.8 to C.W.11, 15, 17 to 19 and Accused persons, as they are from my village.

There is no dispute with regard to the Way in the land of C.W.1/P.W.1, inbetween us and the Accused persons.

Accused persons have neither abused us in filthy language; nor have caused assault upon us, nor extended lift threat to us.

Now, two Axe/M.O.1 and M.O.2 and three Wooden Clubs/M.O.3 to 5 present in the Open Court are shown to the Witness and questioned him to identify the same. Witness fails to identify the Material Objects/M.O.1 to 5.

Basavana Bagewadi Police have not enquired me in this Case; nor have recorded my Statement.

(The learned PP prays to treat this witness 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, land bearing Sy.No.29 measuring 2 Acres 23 guntas situate at Halihal village is standing in the name of my father/Mahadevappa; and the land bearing Sy.No.29/1 measuring 2 Acres 17 guntas, situate at Halihal village is standing in the name of Yamanappa Gurappa Yalagod; and both these lands our Ancestral lands.

It is true to suggest that, the residential houses of the Accused persons are situated near our agricultural land.

I do not know whether houses of the Accused persons are located in our land, which was earlier belonging to us; which were given to the Accused persons by our Ancestors.

I do not know whether a approach road is located towards the Northern side of the houses of the Accused persons, to approach their residential houses; but the Accused persons were using the Road/Way which is available towards the Southern side of their residential houses.

It is false to suggest that, the Accused persons used to graze their Sheeps and Cattles in our land; and used to destroy our Crops; when it was questioned to Accused No.1, he had raised quarrel with us; and had threatened to file Atrocity Case against us.

I do not know whether, Accused persons were trying to lay a Road/Way in our land, in order to approach their residential houses; we on filing a Civil suit at O.S No.8/2023 before the Civil Court at Basavana Bagewadi, on obtaining the Stay have restrained the Accused persons from forming the Way; and said Civil Suit is still pending for adjudication; due to which Accused No.1 and his family members had nurtured vengeance upon us.

It is false to suggest that, on 23.10.2023 at about 7.45am in the morning, when Accused No.7 was taking his Bullock Cart from our land, at that time I have restrained him from taking his Bullock Cart from our land; instructed him not to graze Sheeps and cattles in our land, as they destroying the Crops; for which Accused No.7 replied that, they are in need of a Way to approach their residential houses, from our Agriculture land; and if we restrained them, he will bring his people and caused assault upon us by taking away our life.

It is false to suggest that, subsequently, we all the family members went towards the Bund, situate on the Northern side of our land, wherein Accused persons on forming unlawful assembly came to our land, armed with Axes and Clubs; abused in filthy language, contending that, whether we have come to question them to their residence; and extended life threat, wherein Accused No.1 assaulted C.W.6/P.W.4 with the Axe on his Head, causing cut and bleeding injuries; Accused No.1 also assaulted Ningappa/C.W.5 with the Axe on the Head; Accused No.3 assaulted Laxman/C.W.7 with the Axe on his Head; Accused No.4 assaulted C.W.5/P.W.3 with the Club on his Right Arm; and other Accused persons have assaulted me and my sons; Accused No.2 and Accused No.5 caught hold Saree of my daughter-in-law/Bharati/C.W.12, outraged her modesty and assaulted her with

their hands; C.W.8 to 10, 13 to 15, 17 to 19, came and pacified the quarrel and rescued us from the hands of the Accused persons.

It is false to suggest that, due to the said assault I had sustained cut and bleeding injury as well as C.W.5/Ningappa also had sustained bleeding injuries; so we have taken to Government Hospital, Basavana Bagewadi; and then to District Government Hospital, Vijayapura; and then to BLDE, Hospital, Vijayapura, for further treatment.

It is false to suggest that, I am aware that, my son/Sabanna/C.W.1 had lodged the Complaint against the Accused persons.

It is false to suggest that, I have given Statement before Basavana Bagewadi Police on 15.11.2023 contending that, "ನಾನು ಈ ಮೇಲ್ಕಂಡ ವಿಳಾಸದಲ್ಲಿ ----- ನನ್ನ ಹೇಳಿಕೆ ನೀಡಿರುತ್ತೇನೆ". For identification, the said Statement is marked as Ex.P.24.

It is false to suggest that, I am deposing falsely in this case, in order to help the Accused persons.

Cross-Examination by: Sri. SNA Adv., for Accused persons:

(Sri. SNA Adv for Accused persons submits that Accused persons have no cross examination towards P.W.8. Hence, Cross examination of P.W.8 by the Accused persons is taken as 'NIL'.)

Re-Examination: Nil.

(Typed to my dictation in the open Court)

R.O.I. & A.C.

(ABDUL-RAHIMAN .A. NANDGADI)
II Addl. District & Sessions & Spl.Judge,
VIJAYPURA.

**In the Court of II Addl. District & Sessions and Special Judge,
VIJAYAPURA, At: VIJAYAPURA.**

SESSIONS CASE NO.77/2024

CW No.14

PW No.07

Deposition of : Gurubai
Husband's Name : Chandappa
Age : 34 years
Occupation : Household work
Residence : Halihal

Duly Sworn on: 02/02/2026.

**Examination-in-Chief by Ld. Spl. P.P.(PP attached to the Court
of the III Addl. District and Sessions Judge, Vijayapura):**

I know C.W.1/P.W.1, C.W.5/P.W.3, C.W.6/P.W.4, C.W.7/ P.W.5, C.W.16, C.W.12/P.W.6, C.W.8 to C.W.11, C.W.13, C.W.15 to C.W.19 and Accused persons, as they are from my village.

I do not know, whether there is dispute with regard to the Way in the land of C.W.1/P.W.1, inbetween C.W.1 and his family members on one hand and the Accused persons on the other hand.

I have not seen that, Accused persons having committed an assault upon C.W.1/P.W.1 and his family members; and I have not pacified the quarrel taken place inbetween them.

Now, M.O.1 to M.O.5 present in the Open Court are shown to the Witness and questioned her to identify them. Witness fails to identify the Material Objects/M.O.1 to M.O.5.

I have not given any Statement before Basavana Bagewadi Police.

(The learned PP prays to treat this witness 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, On 23.10.2023 at about 7.45am in the morning, Accused Nos.1 to 5, 7 and 8 on forming unlawful assembly, armed with M.O.1 to M.O.5 came to the house of C.W.1/ P.W.1; raised quarrel with them, abused them in filthy language, contending to give Way to them in their agricultural filed, wherein Accused No.1 assaulted C.W.6/Ramappa with the Axe; Accused No.3 assaulted C.W.7/Laxman with the Axe; Accused Nos.2, 5, 7 and 8 assaulted, Mahadevappa/C.W.16 and Yamanappa/C.W.18 with wooden clubs, with an intention to cause their death; Accused Nos.2 and 5 assaulted Bharati/C.W.12 with their respective hands causing injuries to her; Accused No.1 with an intention to cause death of Ningappa/C.W.5 assaulted him with the Axe; Accused Nos.2 and 5 with an intention to outraged the modesty of Bharati/C.W.12, dragged and used Criminal force upon her, myself and other villagers pacified the quarrel and get rescued C.W.1 and his family members from the hands of Accused persons; at the time of leaving the place the Accused person have extended life threat to C.W.1/ P.W.1 and his family members.

It is false to suggest that, I have given Statement before Basavana Bagewadi Police on 12.11.2023, contending that, "ನಾನು ಈ ಮೇಲ್ಕಂಡ ವಿಳಾಸದಲ್ಲಿ ----- ನನ್ನ ಹೇಳಿಕೆ ನೀಡಿರುತ್ತೇನೆ". For identification, the said portion of the statement is marked as Ex.P.23.

It is false to suggest that, I am deposing falsely in this case, inorder to help the Accused persons.

Cross-Examination by: Sri. SNA Adv., for Accused persons:

(Sri. SNA Adv for Accused persons submits that Accused persons have no cross examination towards P.W.7. Hence, Cross examination of P.W.7 by the Accused persons is taken as 'NIL'.)

Re-Examination: Nil.

(Typed to my dictation in the open Court)

R.O.I. & A.C.

(ABDUL-RAHIMAN .A. NANDGADI)
II Addl. District & Sessions & Spl.Judge,
VIJAYPURA.

**In the Court of II Addl. District & Sessions and Special Judge,
VIJAYAPURA, At: VIJAYAPURA.**

SESSIONS CASE NO.77/2024

CW No.12

PW No.06

Deposition of : Bharati Yalagod
Husband's Name : Ninganagouda
Age : 35 years
Occupation : Household work
Residence : Halihal

Duly Sworn on: 02/02/2026.

**Examination-in-Chief by Ld. Spl. P.P.(PP attached to the Court
of the III Addl. District and Sessions Judge, Vijayapura):**

Ningappa/C.W.5/P.W.3 is my husband; Mahadevappa/C.W.16 is my father-in-law; Sayabanna/C.W.1/ P.W.1, Ramappa/C.W.6/P.W.4, Laxman/C.W.7/P.W.5 and Hanumantaray are my brothers-in-law; C.W.13/Annakka is my Co-sister.

There is no dispute with regard to the Way in the land of C.W.1/ P.W.1, inbetween us and the Accused persons.

Accused persons have neither abused in filthy language; nor have caused assault upon us, nor extended lift threat to us.

Now, two Axe/M.O.1 and M.O.2 and three Wooden Clubs/M.O.3 to 5 present in the Open Court are shown to the Witness and questioned her to identify the same. Witness fails to identify the Material Objects/M.O.1 to 5.

Basavana Bagewadi Police have not enquired me in this Case; nor have recorded my Statement.

(The learned PP prays to treat this witness 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, land bearing Sy.No.29 measuring 2 Acres 23 guntas situate at Halihal village is standing in the name of my father-in-law/Mahadevappa; and the land bearing Sy.No.29/1 measuring 2 Acres 17 guntas, situate at Halihal village is standing in the name of Yamanappa Gurappa Yalagod; and both these lands our Ancestral lands.

It is true to suggest that, the residential houses of the Accused persons are situated near our agricultural land.

I do not know whether houses of the Accused persons are located in our land, which was earlier belonging to us; which were given to the Accused persons by our Ancestors.

I do not know whether a approach road is located towards the Northern side of the houses of the Accused persons, to approach their residential houses; but the Accused persons were using the Road/Way which is available towards the Southern side of their residential houses.

It is false to suggest that, the Accused persons used to graze their Sheeps and Cattles in our land; and used to destroy our Crops; when it was questioned to Accused No.1, he had raised quarrel with us; and had threatened to file Atrocity Case against us.

I do not know whether, Accused persons were trying to lay a Road/Way in our land, in order to approach their residential houses; we on filing a Civil suit at O.S No.8/2023 before the Civil Court at Basavana Bagewadi, on obtaining the Stay have restrained the Accused persons from forming the Way; and said Civil Suit is still pending for adjudication; due to which Accused No.1 and his family members had nurtured vengeance upon us.

It is false to suggest that, on 23.10.2023 at about 7.45am in the morning, when Accused No.7 was taking his Bullock Cart from our land, at that time my father-in-law/Mahadevappa restrained him from taking his Bullock Cart from our land; instructed him not to graze Sheeps and cattles in our land, as they destroying the Crops; for which Accused No.7 replied that, they are in need of a Way to approach their residential houses, from our Agriculture land; and if we restrained them, he will bring his people and caused assault upon us by taking away our life.

It is false to suggest that, subsequently, we all the family members went towards the Bund, situate on the Northern side of our land, wherein Accused persons on forming unlawful assembly came to our land, armed with Axes and Clubs; abused in filthy language, contending that, whether we have come to question them to their residence; and extended life threat, wherein Accused No.1 assaulted Ramappa/C.W.6/P.W.4 with the Axe on his Head, causing cut and bleeding injuries; Accused No.1 also assaulted Ningappa/C.W.5 with the Axe on the Head; Accused No.3 assaulted C.W.7/P.W.5 with the Axe on his Head; Accused No.4 assaulted C.W.5/P.W.3 with the Club on his Right Arm; and other Accused persons assaulted my father-in-law/C.W.16 and my brothers-in-law; Accused No.2 and Accused No.5

caught hold my Saree, outraged her modesty and assaulted me with their hands; C.W.8 to 10, 13 to 15, 17 to 19, came and pacified the quarrel and rescued us from the hands of the Accused persons.

It is false to suggest that, I am aware that, my brother-in-law/Sabanna/C.W.1 had lodged the Complaint against the Accused persons.

It is false to suggest that, I have given Statement before Basavana Bagewadi Police on 12.11.2023 contending that, "ನಮ್ಮ ಮಾವ ಮಹಾದೇವಪ್ಪ ----- ನನ್ನ ಹೇಳಿಕೆ ನೀಡಿರುತ್ತೇನೆ". For identification, the said Statement is marked as Ex.P.22.

It is false to suggest that, I am deposing falsely in this case, in order to help the Accused persons.

Cross-Examination by: Sri. SNA Adv., for Accused persons:

(Sri. SNA Adv for Accused persons submits that Accused persons have no cross examination towards P.W.06. Hence, Cross examination of P.W.06 by the Accused persons is taken as 'NIL'.)

Re-Examination: Nil.

(Typed to my dictation in the open Court)

R.O.I. & A.C.

(ABDUL-RAHIMAN .A. NANDGADI)
II Addl. District & Sessions & Spl.Judge,
VIJAYPURA.

**In the Court of II Addl. District & Sessions and Special Judge,
VIJAYAPURA, At: VIJAYAPURA.**

SESSIONS CASE NO.77/2024

CW No.07

PW No.05

Deposition of : Laxman Yalagod

Father Name : Mahadevappa

Age : 37 years

Occupation : Agriculture

Residence : Halihal

Duly Sworn on: 02/02/2026.

**Examination-in-Chief by Ld. Spl. P.P.(PP attached to the Court
of the III Addl. District and Sessions Judge, Vijayapura):**

Mahadevappa/C.W.16 is my father; Annakka/C.W.13 is my wife; Sayabanna/C.W.1/P.W.1, C.W.5/P.W.3, Ramappa/C.W.6/P.W.4 and Hanumantaray are my brothers. C.W.12/Bharati is my sister-in-law.

There is no dispute with regard to the Way in the land of C.W.1/P.W.1, inbetween us and the Accused persons.

Accused persons have neither abused in filthy language; nor have caused assault upon us, nor extended lift threat to us.

Since, I had fallen from a working Bullock Cart, I have sustained injuries, so I was taken to Government Hospital, Basavana Bagewadi; and from there I was shifted to BLDE Hospital, Vijayapura.

Now, two Axe/M.O.1 and M.O.2 and three Wooden Clubs/M.O.3 to 5 present in the Open Court are shown to the Witness and

questioned him to identify the same. Witness fails to identify the Material Objects/M.O.1 to 5.

(Now the sealed materials are unsealed in the presence of the Learned Spl. PP (PP attached to the Court of the III Addl. District and Sessions Judge, Vijayapura) for the State and Sri. SNA., Adv for Accused Nos.1 to 5, 7 and 8; and found Half Sleeves T-Shirt). Now, said Half Sleeves T-Shirt is shown to the Witness and questioned him to identify it. Witness fails to identify it. For identification, Half Sleeves T-Shirt is marked as M.O.7.

Now two Positive Photographs are shown to the Witness and questioned him to identify them. Witness contends that the said Positive Photographs pertains to him. On identification, the said Positive Photographs are marked as Ex.P.19 and Ex.P.20.

Basavana Bagewadi Police have not enquired me in this Case; nor have recorded my Statement.

(The learned PP prays to treat this witness 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, land bearing Sy.No.29 measuring 2 Acres 23 guntas situate at Halihal village is standing in the name of my father/Mahadevappa; and the land bearing Sy.No.29/1 measuring 2 Acres 17 guntas, situate at Halihal village is standing in the name of Yamanappa Gurappa Yalagod; and both these lands our Ancestral lands.

It is true to suggest that, the residential houses of the Accused persons are situated near our agricultural land.

I do not know whether houses of the Accused persons are located in our land, which was earlier belonging to us; which were given to the Accused persons by our Ancestors.

I do not know whether a approach road is located towards the Northern side of the houses of the Accused persons, to approach their residential houses; but the Accused persons were using the Road/Way which is available towards the Southern side of their residential houses.

It is false to suggest that, the Accused persons used to graze their Sheeps and Cattles in our land; and used to destroy our Crops; when it was questioned to Accused No.1, he had raised quarrel with us; and had threatened to file Atrocity Case against us.

I do not know whether, Accused persons were trying to lay a Road/Way in our land, in order to approach their residential houses; we on filing a Civil suit at O.S No.8/2023 before the Civil Court at Basavana Bagewadi, on obtaining the Stay have restrained the Accused persons from forming the Way; and said Civil Suit is still pending for adjudication; due to which Accused No.1 and his family members had nurtured vengeance upon us.

It is false to suggest that, on 23.10.2023 at about 7.45am in the morning, when Accused No.7 was taking his Bullock Cart from our land, at that time my father/Mahadevappa restrained him from taking his Bullock Cart from our land; instructed him not to graze Sheeps and cattles in our land, as they destroying the Crops; for which Accused No.7 replied that, they are in need of a Way to approach their residential houses, from our Agriculture land; and if we restrained them, he will bring his people and caused assault upon us by taking away our life.

It is false to suggest that, subsequently, we all the family members went towards the Bund, situate on the Northern side of our land, wherein Accused persons on forming unlawful assembly came to our land, armed with Axes and Clubs; abused in filthy language, contending that, whether we have come to question them to their residence; and extended life threat, wherein Accused No.1 assaulted Ramappa/C.W.6/P.W.4 with the Axe on my Head, causing cut and bleeding injuries as shown in Positive Photographs/Ex.P.14 to 17; Accused No.1 also assaulted Ningappa/C.W.5 with the Axe on the Head; Accused No.3 assaulted me with the Axe on my Head; Accused No.4 assaulted C.W.5/P.W.3 with the Club on his Right Arm; and other Accused persons my father/C.W.16 and my brothers; Accused No.2 and Accused No.5 caught hold Saree of Bharati/C.W.12, outraged her modesty and assaulted her with their hands; C.W.8 to 10, 13 to 15, 17 to 19, came and pacified the quarrel and rescued us from the hands of the Accused persons.

It is false to suggest that, due to the said assault I had sustained cut and bleeding injury as well as C.W.5/Ningappa also had sustained bleeding injuries; so we have taken to Government Hospital, Basavana Bagewadi; and then to District Government Hospital, Vijayapura; and then to BLDE, Hospital, Vijayapura, for further treatment.

It is false to suggest that, I am aware that, my brother/Sabanna/C.W.1 had lodged the Complaint against the Accused persons.

It is false to suggest that, on 24.10.2023, when Yallamma/C.W.11 had come to see me, as I was admitted in BLDE Hospital, at that time I have handedover my blood stained Half sleeve T-Shirt to her, inorder to produce the same before the Police.

It is false to suggest that, even I am aware that, other injured persons have also handed over their clothes to Yallamma/C.W.11, to present them before the Police.

It is false to suggest that, I have given Statement before Basavana Bagewadi Police on 11.11.2023 contending that, "ನಮ್ಮ ತಂದೆಯಾದ ಮಹಾದೇವಪ್ಪ ----- ನನ್ನ ಹೇಳಿಕೆ ನೀಡಿರುತ್ತೇನೆ". For identification, the said Statement is marked as Ex.P.21.

It is false to suggest that, I am deposing falsely in this case, inorder to help the Accused persons.

Cross-Examination by: Sri. SNA Adv., for Accused persons:

(Sri. SNA Adv for Accused persons submits that Accused persons have no cross examination towards P.W.05. Hence, Cross examination of P.W.05 by the Accused persons is taken as 'NIL'.)

Re-Examination: Nil.

(Typed to my dictation in the open Court)

R.O.I. & A.C.

(ABDUL-RAHIMAN .A. NANDGADI)
II Addl. District & Sessions & Spl.Judge,
VIJAYPURA.

**In the Court of II Addl. District & Sessions and Special Judge,
VIJAYAPURA, At: VIJAYAPURA.**

SESSIONS CASE NO.77/2024

CW No.06

PW No.04

Deposition of : Ramappa Yalagond

Father Name : Mahadevappa

Age : 41 years

Occupation : Agriculture

Residence : Halihal

Duly Sworn on: 02/02/2026.

**Examination-in-Chief by Ld. Spl. P.P.(PP attached to the Court
of the III Addl. District and Sessions Judge, Vijayapura):**

C.W.1/P.W.1, C.W.5/P.W.3, C.W.7 and Hanumantaray are my brothers; C.W.16 is my father; C.W.12/Bharati and C.W.13/Annakka are my sister's-in-law.

There is no dispute with regard to the Way in the land of C.W.1/P.W.1, inbetween us and the Accused persons.

Accused persons have neither abused in filthy language; nor have caused assault upon us, nor extended lift threat to us.

Since, I had fallen from a working Bullock Cart, I have sustained injuries, so I was taken to Government Hospital, Basavana Bagewadi; and from there I was shifted to BLDE Hospital, Vijayapura.

Now, two Axe/ M.O.1 and M.O.2 and three Wooden Clubs/M.O.3 to 5 present in the Open Court are shown to the Witness and

questioned him to identify the same. Witness fails to identify the Material Objects/M.O.1 to 5.

(Now the sealed materials are unsealed in the presence of the Learned Spl. PP (PP attached to the Court of III Addl. District and Sessions Judge, Vijayapura) for the State and Sri. SNA., Adv for Accused Nos.1 to 5, 7 and 8; and found White colour half Baniyan). Now, said White colour half Baniyan is shown to the Witness and questioned him to identify it. Witness fails to identify it. For identification, White colour half Baniyan is marked as M.O.6.

Now four Positive Photographs are shown to the Witness and questioned him to identify them. Witness contends that the said Positive Photographs pertains to him. On identification, the said Positive Photographs are marked as Ex.P.14 to Ex.P.17.

Basavana Bagewadi Police have not enquired me in this Case; nor have recorded my Statement.

(The learned PP prays to treat this witness 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, land bearing Sy.No.29 measuring 2 Acres 23 guntas situate at Halihal village is standing in the name of my father/Mahadevappa; and the land bearing Sy.No.29/1 measuring 2 Acres 17 guntas, situate at Halihal village is standing in the name of Yamanappa Gurappa Yalagod; and both these lands our Ancestral lands.

It is true to suggest that, the residential houses of the Accused persons are situated near our agricultural land.

I do not know whether houses of the Accused persons are located in our land, which was earlier belonging to us; which were given to the Accused persons by our Ancestors.

I do not know whether a approach road is located towards the Northern side of the houses of the Accused persons, to approach their residential houses; but the Accused persons were using the Road/Way which is available towards the Southern side of their residential houses.

It is false to suggest that, the Accused persons used to graze their Sheeps and Cattles in our land; and used to destroy our Crops; when it was questioned to Accused No.1, he had raised quarrel with us; and had threatened to file Atrocity Case against us.

I do not know whether, Accused persons were trying to lay a Road/Way in our land, in order to approach their residential houses; we on filing a Civil suit at O.S No.8/2023 before the Civil Court at Basavana Bagewadi, on obtaining the Stay have restrained the Accused persons from forming the Way; and said Civil Suit is still pending for adjudication; due to which Accused No.1 and his family members had nurtured vengeance upon us.

It is false to suggest that, on 23.10.2023 at about 7.45am in the morning, when Accused No.7 was taking his Bullock Cart from our land, at that time my father/Mahadevappa restrained him from taking his Bullock Cart from our land; instructed him not to graze Sheeps and cattles in our land, as they destroying the Crops; for which Accused No.7 replied that, they are in need of a Way to approach their residential houses, from our Agriculture land; and if we restrained them, he will bring his people and caused assault upon us by taking away our life.

It is false to suggest that, subsequently, we all the family members went towards the Bund, situate on the Northern side of our land, wherein Accused persons on forming unlawful assembly came to our land, armed with Axes and Clubs; abused in filthy language, contending that, whether we have come to question them to their residence; and extended life threat, wherein Accused No.1 assaulted me with the Axe on my Head, causing cut and bleeding injuries as shown in Positive Photographs/Ex.P.14 to 17; Accused No.1 also assaulted Ningappa/C.W.5 with the Axe on the Head; Accused No.3 assaulted my brother/Laxman/C.W.7 with the Axe on his Head; Accused No.4 assaulted C.W.5/P.W.3 with the Club on his Right Arm; and other Accused persons my father/C.W.16 and my brothers; Accused No.2 and Accused No.5 caught hold Saree of Bharati/C.W.12, outraged her modesty and assaulted her with their hands; C.W.8 to 10, 13 to 15, 17 to 19, came and pacified the quarrel and rescued us from the hands of the Accused persons.

It is false to suggest that, due to the said assault I had sustained cut and bleeding injury as well as C.W.5/Ningappa also had sustained bleeding injuries; so we have taken to Government Hospital, Basavana Bagewadi; and then to District Government Hospital, Vijayapura; and then to BLDE, Hospital, Vijayapura, for further treatment.

It is false to suggest that, I am aware that, my brother/Sabanna/C.W.1 had lodged the Complaint against the Accused persons.

It is false to suggest that, on 24.10.2023, when Yallamma/C.W.11 had come to see me, as I was admitted in BLDE Hospital, at that time I have handedover my blood stained half Baniyan to her, inorder to produce the same before the Police.

It is false to suggest that, even I am aware that, other injured persons have also handed over their clothes to Yallamma/C.W.11, to present them before the Police.

It is false to suggest that, I have given Statement before Basavana Bagewadi Police on 11.11.2023 contending that, "ನಮ್ಮ ತಂದೆಯಾದ ಮಹಾದೇವಪ್ಪ ----- ನನ್ನ ಹೇಳಿಕೆ ನೀಡಿರುತ್ತೇನೆ". For identification, the said Statement is marked as Ex.P.18.

It is false to suggest that, I am deposing falsely in this case, inorder to help the Accused persons.

Cross-Examination by: Sri. SNA Adv., for Accused persons:

(Sri. SNA Adv for Accused persons submits that Accused persons have no cross examination towards P.W.4. Hence, Cross examination of P.W.4 by the Accused persons is taken as 'NIL'.)

Re-Examination: Nil.

(Typed to my dictation in the open Court)

R.O.I. & A.C.

(ABDUL-RAHIMAN .A. NANDGADI)
II Addl. District & Sessions & Spl.Judge,
VIJAYPURA.