

**THE COURT OF II ADDL. DISTRICT AND SESSIONS &
SPL. JUDGE, VIJAYAPURA**

PRESENT: **SRI ABDUL-RAHIMAN .A. NANDGADI,**
B.Com.,LL.B.,(Spl.),
II Addl. District and Sessions & Spl.
Judge, Vijayapura.

DATED THIS 10th DAY OF APRIL -2026

SESSIONS CASE No.54/2022

Complainant : State by the P.I.,
Vijayapura APMC Police Station,

V/s

Accused :

1. Veeresh S/o Sukhadev Hanjagi @
Kunchikorawar, Age: 20 years.
Occ: Pan shop Business, R/o In
front of Golgumbaz, Vijayapura.

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**Statement of Accused recorded U/Sec. 313 of Code of
Criminal Procedure Code.**

Q.No.01) Have you heard the evidence of the Prosecution witnesses ?

Ans.

Q.No.02) CW01/PW3-Saddamhusen Narasanagi, deposes that, their house is situated at Chapparband Coilony behind the Royal Hotel. His father has 8 children i.e. 4 male and 4

female. Deceased Nabirasul is his brother, he is doing centering work, he is going to work at about 9 am and returning in the evening at 6 pm. His brother Nabirasul use to go to the Pan Shop of you Accused situated infront of Golgumbaz. There was quarrel taken place inbetween his brother and you Accused in respect of payment of Rs.2,000/- as his brother has to give Rs.2,000/- to you Accused for Gutaka. His brother has informed the same before him and his wife. What do you say?

Ans.

Q.No.03) *He further deposes that, on 19.12.2020 inbetween 6 to 8 pm you Accused assaulted his brother with rod, his brother has informed the same. On 20.12.2020 at about 10 to 11 pm when he was proceeding in his Tum Tum vehicle his brother was standing infront of the Pan Shop of you Accused. At about 4 pm when he was near Hakeem Chowk he came to know that his brother was murdered at Station Back road. Accordingly himself and his family members went to the spot and saw that dad body of his brother Nabirasul was laying, blood was oozing from the nose, ear and mouth, sustained injuries on the back, leg and forehead, four stones were also laying there. Later Police shifted the deadbody to the Government Hospital, he has lodged the Complaint at about 6.45 pm. He has identified his signature*

appearing on the Complaint/Ex.P.15, marked as Ex.P.15(a), as per his instructions CW13 has written the Complaint. What do you say?

Ans.

Q.No.04) *He further deposes that, on the same day Police have conducted the Inquest Panchanama, he has identified the dead of his brother in the Positive Photographs marked at Ex.P.2 to Ex.P.7. On the next day Police called him to the place of incident and conducted the Panchanama in the presence of CW6 and CW7 and seized M.O.1 Chappal belongs his brother and Stones marked at M.O.2 to 6, Police have also seized the blood stained mud and unblood stained mud marked at M.O.7 and M.O.8. Later police have called him to the Station wherein shown you Accused persons and informed that you have committed the murder of his brother by assaulting with hands and stones. He has identified you Accused persons. What do you say?*

Ans.

Q.No.05) *CW4/PW1- Mehaboob Walikar, deposes that on 21.12.2020 inbetween 8.30 am to 10 am Police have conducted the Inquest Panchanama as per Ex.P.1 on the dead body of Nabirasul Narasalagi in District Hospital Vijayapura and obtained his signature at that time CW5 was*

also along with him he has also signed. He has identified his presence in the Positive Photographs marked at Ex.P.3 to 7. What do you say?

Ans.

Q.No.06) *CW06/PW4-Harunrashid Javadagi deposes that, on 21.12.2020 Police have conducted the Spot Panchanama behind the back side of Golgumbaz as per Ex.P.18 and got clicked the Positive Photographs as per Ex.P.16 and Ex.P.17, he has identified his presence in the said Photographs, seized 7-8 stones, Chappal and blood stained mud and unblood stained mud, he has identified the same marked at M.O.1 to 8. Said Panchanama was conducted inbetween 10.30 am to 11.30 a.m. On 21.12.2020 in the Police Station Police have seized the cloths worn by the deceased under the Ex.P.19 Panchanama, got clicked Positive Photograph marked at Ex.P.20, said panchanama was conducted inbetween 6.30 pm to 7.00 pm. CW7 also signed the Ex.P.19/Panchanama. He has identified the cloths of deceased i.e. Shirt, Baniyan, Night Pant and underwear marked at M.O. 9 to M.O.12. What do you say?*

Ans.

Q.No.07) *CW10/PW05- Mahiboob Narasanagi deposes that, deceased Nabirasul is his brother, he was murdered by you*

Accused about four years back near Excise Office Fort by assaulting with stone, his brother Saddam informed about the incident at about 4 pm, accordingly they went to the spot and saw that dead body his brother was laying, he has sustained injuries on head, leg and back, his brother was murdered by you Accused as his brother has to pay you Rs.2,000/- in respect of Gutaka. Police have recorded his statement. What do you say?

Ans.

Q.No.08) *Further during his cross examination done on behalf of the Prosecution, he admits that Panshop of you Accused is situated in front of Golgumbaz, His brother has to pay you Accused Rs.2000/- towards purchase of Ghutaka, in this regard you were quarreling with his brother as such he advised his brother not to go near your Pan Shop. On 19.12.2020 his brother has informed him that you have assaulted him with rod on his back in respect of hand loan. At about 4.45 pm he went to see the dead of his brother. What do you say?*

Ans.

Q.No.09) *He further deposes that, on 21.12.2020 Police called him to Station and shown you Accused persons at*

that time you revealed that on 19.12.2020 his brother came to your shop at that time you assaulted him rod. On 20.12.2020 his brother went to the Pan Shop you Accused and threatened to murder you as such you called the other Accused persons and when his brother was going towards Station Back side, you chased him and Anand Kunchipur assaulted with stone on the head of his brother, Irappa @ Lakshman assaulted with stone on his left leg, face, Manoj assaulted with Stone on his right shoulder and back and committed his murder, said incident taken place at about 1 pm, in this regard he has given his statement before the Police. What do you say?

Ans.

Q.No.10) *CW23/PW06- Dr. Dharmaraya Ingale deposes that, on 21.12.2020 he received requisition from PSI APMC police station in crime no.112/2020 along with form No. 146(i) and 146(ii) for conducting PM on deceased Nabirasul S/o Davalasab Narasanalli Age: 30 years, at about 11.30 AM. As per the requisition he conducted PM on 21.12.2020 at 11.30 AM to 01.00 PM in District Hospital Vijayapura in mortuary. At the time of PM he noticed Dead body that of male aged about 30 years, length measuring 159 cm, moderately built and nourished, rigor mortis present all over the body, Faint postmortem stains present over the back of the trunk. Nail beds are bluish, Dried blood stains present*

over head, Left side face, both upper limbs, dried leaves of wild bush found all over the body at places, post mortem ant bite marks present over both side neck and genital region. Left eye is black. Blood clots present and nostrils. What do you say?

Ans.

Q.No.11) *He further deposes that, External wounds are Split lacerated wound over right side temporal region of the scalp 5x2 cm x bone deep red blood clots present.*

Split lacerated wound over of root of right mastoid measuring 2x ½ x bone deep red blood clots present.

Split lacerated wound over tip of mastoid measuring 2x2cm x bone deep red blood clots present.

Contused abrasion over back of right pinna 6 x 2 ½ cm reddish black color.

Impact abrasion over right frontal region at its upper part measuring 1 ½ cm 1 cm.

Impact abrasion over lower part of right side fore head measuring 1 ½ cm 1 cm red color.

L shape impact abrasion over right cheek measuring 4 x 1 ½ brownish color.

Impact abrasion over left side fore head near middle line measuring 1 x 1 cm brownish color.

Impact abrasion over left side fore head outer aspect 6x6 cm dark red color.

Impact abrasion over left cheek vertically placed measuring 5 x 1 cm red color.

Impact abrasion over top of left side shoulder 5 x 5 cm red color.

Impact abrasion over back of left elbow part measuring 2 x 2 cm brownish color.

Impact abrasion over outer aspect of left fore arm and wrist measuring 5 x 2 cm.

Impact abrasion over outer aspect of left hand 1x2cm and $\frac{1}{2}$ x $\frac{1}{2}$ 2 numbers.

Impact abrasion over back of right shoulder 3x2cm.

Contused abrasion over outer aspect of right axilla 3x2cm.

Contused abrasion over inner aspect of lower part of right axilla 5 x 5 cm.

Three linear Impact abrasions one below the other over outer aspect of back of right axilla each measuring 2x.3 cm and 1 1/2x1 cm and 2x.3 cm.

Linear contains abrasion across back of right chest measuring 9 x 1 cm reddish black color tailing to left.

Linear Impact abrasion across back of lower part of right chest measuring 13 x 1 1/2 cm reddish black color tailing to left.

Obliquely placed interrupted contains abrasion over back of lower part of abdomen 11x3cm areas.

Spiral Impact patterned abrasion over outer aspect of lower part of right side abdomen above ilial crest, measuring 7 x 1 cm reddish brown in color.

Impact abrasion over right buttock 9 x 3 ½ cm in red in color.

Contused abrasion over outer aspect of right buttock 6x 4 cm.

Impact abrasion over outer aspect of right thigh 6x1 cm reddish brown in color.

Impact abrasion over back of right knee 6x6 cm red in color.

Impact abrasion over outer aspect of upper part of right knee circular shape over lapping measuring 6 x 6 cm.

Impact abrasion over outer aspect of right leg 3 x 1 cm.

Reddish contused over front of lower part of left thigh 7x7 cm.

Impact abrasion over inner aspect of upper part of left knee circular shape over lapping measuring 6 x 6 cm and one more at lower part 1x ½ cm.

Impact abrasion over front of left leg 3 x 1 cm.

Impact abrasion over front of left ankle 1x1 cm with red blood clots.

On dissection of dead body.

Blood extravasated over both side frontal temporal and parietal regions diffusely.

Skull: Comminuted fracture displacement of both side frontal, temporal and parietal bones extending to both side

orbital roof irregularly in to pieces blood clots present, right temporal bone show depressed fracture.

Membrane: lacerated over fracture side.

Brain: 1150 grams, contused lacerated irregularly at mid brain and cerebellum. Covered by sub-dural and sub-arachnoid bleeds at places. Pons contused lacerated.

Chest: Right side 4th to 7th ribs fractured at their middle blood clots present.

Right side Pleura contain 200 ML blood.

Lungs: 400/350 grams. Pale right lung contused at places both lungs shows emphysemous changes and are pale.

Abdomen. Wall: Contusion of right dome of diaphragm over an area of 8x8 cm with inflammatory changes around.

Peritoneal cavity: Contain 500 ml size blood stained.

Small and large intestines: Contain gas and their contents, retroperitoneal hemorrhage present along celiac trunk.

Liver: 850 grams. Shows lacerations at its attachment blood clots present. With inflammatory changes around.

Other internal organs were intact and pale. What do you say?

Ans.

Q.No.12) *He further deposes that, Time since death 12 to 24 hour before PM. Nature of wounds All the wounds are ante-mortem in nature. As per his opinion cause of death is due to*

coma as result of head injury sustained. He has identified requisition sent by police in form No. 146(i) and 146 (ii) marked as Ex.P.21 and 22. he has identified his signature appearing on the PM report/Ex.P.23, marked at Ex.P.23(a). He has received requisition dated. 31.12.2020 from police to examine 6 articles which were sent along with the requisition in sealed cover. He opened sealed cover and examined articles on 01.01.2021.

Article No.1 In contains roughly rectangular block stone of weight 2.9 kg measuring maximum 27 cm length x 10 width x 4 ½ cm Thickness, one side reddish brown stains an one surface.

Article No.2 Irregular triangular block stone 2.2 kg length measuring 19 cm length x 13 ½ width x 5 cm Thickness shows reddish brown stains an one surface.

Article No.3 Roughly triangular block stone of weight 7.5 kg size 27 length x 23 width x 7 cm Thickness reddish brown stains an one surface.

Article No.4 Roughly rectangular block stone of 6.2 kg of size 25 length 23 width x 8 cm Thickness roughly quadrangular reddish brown stains an one surface.

Article No.5 Roughly quadrangular block stone of weight 11.2 kg length measuring 41 cm x 20 width x 12 ½ cm Thickness reddish brown stains an one surface.

Article No.6 It is an corrugated iron rod of weight 900 grams, 102 ½ cm length and 4 cm circumference, shows reddish brown stains at places.

As per his opinion the injuries no.21 and 22 on the deceased could be caused from article No. 6 and remaining wounds could be caused by article No.1 to 5. He has identified his signature appearing on the opinion/Ex.P.24 marked at Ex.P.24(a). He has identified the Article No.1 to 6 before the court the Article No.1 to 5 stones already marked as MO.2 to 6 and Iron rod is marked as MO.13. As per his opinion External wounds No.1 to 10 and Internal head injury are collectively fatal in nature. What do you say?

Ans.

Q.No.13) *CW25/PW11- Ishwar Anand Gururmath deposes that, on 20.12.2020 received the FIR and Complaint at about 9.30 pm. And submitted in the home office of I Addl. Senior Civil Judge and JMFC Vijayapura at about 11 pm in this regard he has given his report to the I.O. What do you say?*

Ans.

Q.No.14) *CW15/PW13- Kasimbi Narasanagi deposes that, everyday her youngest brother-in-law/Nabirasool used to go for his work in the morning at 9.00am; and used to return at 6.00pm in the evening. After returning from his work he used*

to go in our Lane. He was having weekly holiday on Sunday. She has identified you Accused present in the Open Court, you are running a Panshop in front of Golgumbaz, Station Road, Vijayapura. Her youngest brother-in-law/Nabirasool used to visit the Panshop of you the Accused; and he had incurred debts with you the Accused to the tune of Rs.2,000/-. Due to the said Debts there was a tussle inbetween Nabirasool and you the Accused, wherein you the Accused had extended life threat to Nabirasool. The said event was informed to her by her youngest brother-in-law/Nabirasool. What do you say?

Ans.

Q.No.15) *She further deposes that, on receiving the said information, all the three brothers of Nabirasool alongwith the elders persons in the vicinity went to you Accused; and advised not to raise any quarrel with Nabirasool and not to nurture vengeance against him. On the previous day of the death of Nabirasool, you Accused has raised assault with Nabirasool claiming repayment of Debts; and extended life threat to Nabirasool. The said event was informed to them by her youngest brother-in-law/Nabirasool. About 4 ½ years back, when her youngest brother-in-law/ Nabirasool was in his residence, you Accused came on your Bike and took her youngest brother-in-law/Nabirasool with you, on your Bike. What do you say?*

Ans.

Q.No.16) *She further deposes that, about 4.30pm in the evening her another brother-in-law/Saddam/P.W.3 received a Mobile Call, wherein he was informed that, the murder of Nabirasool is caused; and his deadbody is thrown behind Golgumbaz, near Kote Gode (Fort). Saddam/P.W.3 inturn informed them. They went to the place where the deadbody of Nabirasool was lying, wherein he had sustained injuries on his head, near the eye, on his hands and legs. What do you say?*

Ans.

Q.No.17) *She further deposes that, on the spot where the deadbody was Nabirasool was lying, a big Stone, Iron Rod and Chapples of Nabirasool were lying. On the next day, APMC Police had called her, her husband/ C.W.10/P.W.5 and her another brother-in-law/Saddam/C.W.1/P.W.3, wherein you Accused was present in the said Police Station; Police personnels of the said Police Station informed them that, you Accused alongwith three persons have committed the murder of Nabirasool. She has identified the Brown colour Chapple/M.O.1; five Stones/ M.O.2 to M.O.6 and Iron Rod/ M.O.13 present in the Open Court. APMC Police have enquired her in this Case; and she has given Statement before the said Police. What do you say?*

Ans.

Q.No.18) *Further during her cross examination done on behalf of the Prosecution, she admits that, on the day of death of Nabirasool, he himself had gone from the residence at about 10.30am in the morning. When her another brother-in-law/Saddam/C.W.1/P.W.3 informed her about the event of murder of Nabirasool, at that time he also informed her that, he had seen Nabirasool in the shop of you the Accused at about 11.00am in the morning, wherein you the Accused and Nabirasool were having conversation with each other, for which he thought that, both of them might have resolved their grievous each other. She has narrated the above facts before APMC Police, at the time of recording her Statement. What do you say?*

Ans.

Q.No.19) *CW16/PW14- Jainabi Narasanagi deposes that, her husband/Nabirasool was doing Centreing work; he used to go for work at morning at 9.00am and return by 6.00pm; and he was having weekly off on every Sunday. She know you the Accused present in the Open Court, you are running a Panshop infront of Golgumbaz, Station Road, Vijayapura. Her Husband/Nabirasool used to visit the Panshop of you the Accused; and he had incurred debts with you the Accused to the tune of Rs.2,000/-. Due to the said Debts*

there was a tussle inbetween her husband/Nabirasool and you the Accused, wherein you the Accused had extended life threat to her husband/Nabirasool. The said event was informed to her by her husband/Nabirasool. On receiving the said information, all the three brothers of her husband/Nabirasool alongwith the elder persons in the vicinity went to you Accused; and advised you not to raise any quarrel with her husband/Nabirasool and not to nurture vengeance against him. On the previous day of the death of her husband/Nabirasool, you Accused has raised assault with him, claiming repayment of Debts; and extended life threat to her husband/Nabirasool. The said event was informed to them by her husband/Nabirasool. Even the you Accused had assaulted her husband/Nabirasool on the previous day of his death. What do you say?

Ans.

Q.No.20) *She further deposes that, about 4 ½ years back, it was a Sunday, her husband/Nabirasool went out of their residence at about 11.00am; he did not come for Lunch in the afternoon, for which she thought that, her husband/Nabirasool have gone for some work. About 4.30pm in the evening her brother-in-law/Saddam/P.W.3 received a Mobile Phone Call, wherein he was informed that, the murder of her husband/Nabirasool is caused; and his deadbody is thrown behind Golgumbaz, near Kote Gode*

(Fort). Inturn Saddam/P.W.3 informed them. On hearing the said information she fell unconscious. The other family members went to the place where the deadbody of her husband/Nabirasool was lying, wherein family members informed her that, her husband/Nabirasool had sustained injuries on his head, near the eye, on his hands and legs; and Stones, Iron Rod and Chapples were fallen near the deadbody of her husband/Nabirasool. What do you say?

Ans.

Q.No.21) *She further deposes that, thereafter, she went to the Government Hospital, Vijayapura, wherein the deadbody of her husband/Nabirasool was taken; when she saw, her husband/Nabirasool had sustained injuries on his head, right eye, forehead, Shoulder, Legs; and left hand was broken. When she enquired with her younger brother-in-law/Saddam/C.W.1/P.W.3, he informed her that, you Accused alongwith three persons have caused assault upon her husband/Nabirasool and have caused him to death; as he came to know about the said fact in APMC Police Station, wherein you Accused was brought to the said Police Station. APMC Police have enquired her in this Case; and she has given Statement before the said Police. What do you say?*

Ans:-

Q.No.22) *CW31/PW15- Basavaraj Mukartihal deposes that, on 23.12.2020, he has received the Charge of this Case for further Investigation from PSI-APMC PS/C.W.30. On the same day, he has recorded the Statements of C.W.18/ P.W.8 as per Ex.P.26, C.W.19/P.W.9 as per Ex.P.27 and C.W.20/ P.W.10 as per Ex.P.28. On the same day, he has issued requisition to C.W.30 to findout the whereabouts of you Accused No.4 and to produce before him. What do you say?*

Ans.

Q.No.23) *He further deposes that, on 24.12.2020, C.W.30 has filed his Report, contending that, the whereabouts of Accused No.4 could be traced. He has identified his signature appearing on the Report/Ex.P.32, marked as Ex.P.32(a). On 28.12.2020, he has secured the Postmortem Report of deceased Nabi Rasool from District Hospital, Vijayapura as per Ex.P.23. He has identified his signature marked as Ex.P.23(b). On the same day, he has issued requisition to C.W.23/P.W.6 to furnish Weapon Opinion, by furnishing the seized articles in this Case. On the same day, he has issued requisition to the RTO Vijayapura to furnish B extracts of the Motorcycle bearing REG No.KA-28/EG-4133; and Mahindra Vehicle bearing REG No.KA-28/W-9384. On the same day, he has received B extracts of both the vehicles. He has identified the B-extract of Motorcycle*

bearing REG No. KA-28/EG-4133 marked as Ex.P.33, his signature marked as Ex.P.33(a). What do you say?

Ans.

Q.No.24) *He further deposes that, on 02.01.2021, he has secured the Weapon Opinion from C.W.23/P.W.6 as per Ex.P.24, he has identified his signature marked as Ex.P.24(b). On the same day, he has issued requisition to CHC-671/C.W.29 to findout the whereabouts of the CCL and to produce him before him. CHC-671/C.W.29 has filed his Report contending that, he could not traced the whereabouts of CCL. He has identified his signature appearing on the Report/Ex.P.34, marked as Ex.P.34(a). What do you say?*

Ans.

Q.No.25) *He further deposes that, on 05.01.2021, he has sent the seized articles for Scientific Investigation to RFSL, Belagavi through CHC-448/C.W.26; on the same day, he has filed Acknowledgment issued by RFSL, Belagavi. He has identified his signature appearing on the RFSL Acknowledgment/Ex.P.35, marked as Ex.P.35(a). On the same day, he has recorded the Statement of CHC-448/C.W.26. What do you say?*

Ans.

Q.No.26) *He further deposes that, on 07.01.2021, he has recorded the Statements of C.W.21/P.W.7 as per Ex.P.25. On 30.01.2021, he has issued requisition to DDLR, Vijayapura to furnish the Property Extract of the scene of offence. On 06.02.2021, he has secured the Property Extract from DDLR, Vijayapura. He has identified his signature appearing on the said document/Ex.P.36, marked as Ex.P.36(a). What do you say?*

Ans.

Q.No.27) *He further deposes that, on 24.02.2021, he has recorded the Statement of C.W.22/P.W.12 as per Ex.P.29. On 25.02.2021, he has secured the Hand Sketch issued by C.W.24 as per Ex.P.30. On the same day, he has recorded the statement of C.W.24. On 26.02.2021, he has secured the Sec.65B Certificate from C.W.28 as per Ex.P.31, he has identified his signature marked as Ex.P.31(a). What do you say?*

Ans.

Q.No.28) *He further deposes that, on 27.02.2021, on findings sufficient materials against you Accused No.1, he has filed charge-sheet against you for the offences punishable U/secs.341, 302 R/w. Sec.34 of IPC.*

Subsequently, he came to know that, RFSL Report is received in this Case alongwith seized articles sent for Scientific Investigation on 27.11.2021. He has identified the RFSL Report marked as Ex.P.37; and sample seal is marked as Ex.P.37(A). What do you say?

Ans:-

Q.No.29) *CW30/PW16- Somesh Gejji deposes that, on 20.12.2020, when he was serving as SHO of APMC Police Station, C.W.1/P.W.3 appeared at APMC Police Station and has field handwritten complaint before him. On going through contents of the said Complaint, he has registered the same at APMC P.S. Cr.No.112/2020 for offence punishable U/Secs.302 R/W. Sec.34 of IPC; and sent the FIR to the Jurisdictional Magistrate through C.W.25. He has identified his signature appearing on the Complaint/Ex.P.15, marked as Ex.P.15(b). He further identified his signature appearing on the FIR/Ex.P.38, marked as Ex.P.38(a). Since, CPI, Golgumbaz Police Circle was engaged in Gram Panchayat Election, it has orally instructed him to conduct Inquest Mahazar, Spot Mahazars, Seizure Mahazars and to apprehend the you Accused and to investigate the matter. What do you say?*

Ans.

Q.No.30) *He further deposes that, on 21.12.2020, he has visited District Government Hospital, Vijayapura, wherein deadbody of Nabirasool Davalasab Narasanagi was present in the Mortuary of the said Hospital; wherein he has conducted the Inquest Mahazar on the deadbody of deceased Nabirasool as per Ex.P.1; got clicked Positive Photograph as per Ex.P.2 to Ex.P.7; the said Mahazar proceedings were conducted inbetween 8.30 to 10.00am in the morning, in the presence of two panchas viz., C.W.4/P.W.1 and C.W.5. He has identified his signatures appearing on the Inquest Mahazar/Ex.P.1, marked as Ex.P.1(b) and Ex.P.1(c). He has sent the deadbody of deceased Nabirasool for conducting Postmortem alongwith 146(1) and 146(2) forms. He has identified the Form No.146(1) marked at Ex.P.21; and Form No.146(2) marked at Ex.P.22. He has identified his signatures marked marked as Ex.P.21(a) and Ex.P.22(a). What do you say?*

Ans.

Q.No.31) *He further deposes that, on the same day, he has visited the spot of incident, as per the spot shown by C.W.1/P.W.3, which is located station back Road, near Excise Office, near the Fort wall; and conducted the Spot-cum-Seizure Mahazar as per Ex.P.18, drawn the Sketch, got clicked Positive Photographs as per Ex.P.16 and Ex.P.17; in*

the presence of two panchas viz., C.W.6/P.W.4 and C.W.7; seized brown colour pair of Chapple, One stone weighing approximately 2kgs, having stained with blood; another stone weighing approximately 2kgs, having stained with blood; another stone weighing approximately 5kgs, having stained with blood; another stone weighing approximately 6kgs, having stained with blood; another stone weighing approximately 10kgs, having stained with blood; blood stained mud and normal mud from the spot; the said Mahazar proceedings were conducted inbetween 10.30am to 11.30am in the morning. He has identified his signature appearing on the Spot-cum-Seizure Mahazar/Ex.P.18 marked as Ex.P.18(b). He has identified the M.O.1 to M.O.8 present in the Open Court. He has identified his signature appearing on the Sketch/Ex.P.39, marked as Ex.P.39(a). He has sent P.F. in respect of M.O.1 to M.O.8 to the Jurisdictional Magistrate. What do you say?

Ans.

Q.No.32) *He further deposes that, on the same day, he has apprehended you the Accused; on enquiry, he has arrested you the Accused by following the arrest procedure. As per your request, he has recorded your Voluntary Statement, wherein you have expressed your willingness to produce the Iron Rod and clothes worn at the time of incident, kept in*

your house. Portion of the Voluntary Statement of you the Accused, which is an Exculpatory part, leading to discovery, consisting of 'ಉಪಯೋಗಿಸಿದ ಕಬ್ಬಿಣದ ರಾಡ್ ಮತ್ತು ಮೈತನಿಗೆ ಕೊಲೆ ಮಾಡುವ ಕಾಲಕ್ಕೆ ಧರಿಸಿದ್ದ ಬಟ್ಟೆಗಳನ್ನು ನಮ್ಮ ಮನೆಯಲ್ಲಿ ಒಂದು ಕಡೆ ಇಟ್ಟಿದ್ದು ನನ್ನೊಂದಿಗೆ ಬಂದಲ್ಲಿ ಅವುಗಳನ್ನು ತೆಗೆದು ಹಾಜರ ಪಡಿಸುತ್ತೇನೆ' is marked as Ex.P.40. On the same day, you Accused has produced Activa Motorcycle bearing REG No. KA-28/EG-4133 before him at APMC Police Station; he has seized the said Motorcycle by drawing the Seizure Mahazar as per Ex.P.8; got clicked Positive Photographs as per Ex.P.9 and Ex.P.10; in the presence of two panchas viz., C.W.2/P.W.2 and C.W.3; the said Mahazar proceedings were conducted inbetween 7.15am to 8.00am in the morning. He has identified his signature marked as Ex.P.8(b). He has filed PF inrespect of seized Motorcycle before Jurisdictional Magistrate. He has identified the Motorcycle seen in Positive Photographs/ Ex.P.9 and Ex.P.10. What do you say?

Ans.

Q.No.33) *He further deposes that, he has got secured two panchas viz., C.W.2/P.W.2 and C.W.3; and he has taken you the Accused to the place shown by you, wherein you the Accused has taken them to your residence, situated at Kunchi Koravara Oni, Vijayapura; wherein you the Accused has produced your clothes viz., Blue colour half shirt and Grey colour night pant, both are stained with blood and Iron*

Rod; he has seized the said materials by drawing the Seizure Mahazar as per Ex.P.11; got clicked Positive Photographs as per Ex.P.12 and Ex.P.13; the said Mahazar proceedings were conducted inbetween 12.15 to 1.00pm in the afternoon. He has identified his signature marked as Ex.P.11(b). He has sent P.F. in respect of the clothes of you the Accused and Iron Rod seized by him to the Jurisdictional Magistrate. He has identified the Blue colour half sleeve shirt marked as M.O.14 and Grey colour night pant marked as M.O.15. Thereafter, he has produced you Accused before the Jurisdictional Magistrate alongwith remand application, for which you the Accused was remanded to Judicial Custody. He has identified you Accused present in the Open Court. What do you say?

Ans.

Q.No.34) *He further deposes that, on the same day, C.W.27 produced the clothes of deceased which were present at the time of conducting Postmortem, at APMC Police Station; he has seized the said clothes, viz., Cream colour full sleeves shirt, Banian, Night pant and Brown colour underwear; he has seized the said clothes, in the presence of two panchas viz., C.W.6/ P.W.4 and C.W.7; as per Ex.P.19; got clicked Positive Photograph as per Ex.P.20; the said Mahazar proceedings were conducted inbetween 3.45pm to 4.45pm in the evening. He has identified his signature marked as*

Ex.P.19(b). He has identified the M.O.9 to M.O.12 present in the Open Court. He has sent P.F. in respect the seized articles before the Jurisdictional Magistrate. What do you say?

Ans.

Q.No.35) *He further deposes that, on the same day, he has recorded the Statement of C.W.27, who had brought the clothes of deceased and presented before him. On the same day, he has recorded the further Statement of the Complainant/C.W.1/P.W.3. On the same day, he has recorded Statements C.W.10/P.W.5, C.W.11, C.W.12, C.W.13, C.W.14, C.W.15, C.W.16, C.W.17, C.W.25/P.W.11. On 23.12.2020, he has handed over the Charge of this Case for further investigation to CPI, Golgumbaz Police Circle/C.W.31/P.W.15. On 24.12.2020, he has filed his Report before CPI, Golgumbaz Police Circle/C.W.31/P.W.15 as per Ex.P.32. He has identified his signature marked Ex.P.32(b). What do you say?*

Ans:-

Q.No.36) *CW17/PW17- Mhaja Mainuddin Badeghar deposes that, Nabirasool had to pay Rs.2,000/- to you the Accused; whenever, you the Accused used to ask deceased Nabirasool to repay to dues, he used to delay the said*

repayment. When you Accused used to demand repayment of the dues, deceased Nabirasool used to create scuffle. The said fact was intimated to him by you the Accused. On 20.12.2020, in order to go to his native, he was standing near Sindagi Bypass Road; at that time, you Accused came to him and contended that, he has assaulted Nabirasool behind Golgumbaz near Excise Office; he has committed the murder of Nabirasool by assaulting him with Stones. It was about 1.30pm in the afternoon, when Veeresh/Accused met him and told the said incident. You Accused further informed him that, since Nabirasool did not repay your dues, so you have committed the murder. On hearing so, he went to his village and returned on the same day in the night. Subsequently, he came to know that, you Accused has taken away the life of Nabirasool. He has given his Statement before APMC, Vijayapura Police. What do you say?

Ans:-

Q.No.37) *Do you have anything to say?*

Ans:-

Q.No.38) *Do you have any evidence to lead?*

Ans:-

(The contents of the above Statement U/Sec 313 of Cr.P.C. have been read over in English and explained to each of the Accused persons in Kannada, the language known to them. They perfectly understood the same and whatever they have given the answers, the same have been recorded.)

Advocate for Accused

*(Dictated to the Stenographer directly on the computer, read over to the Accused, answers were recorded and signed by me & then pronounced by me in the open Court, on this the **10th day of April, 2026**)*

(ABDUL-RAHIMAN .A. NANDGADI)

*II Addl. District and Sessions & Spl. Judge,
Vijayapura*