

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

SPL.C SC.ST NO.49/2023
CW No.04
PW No.02

Deposition of : Sharanabasu Walikar
Father Name : Hanumantaray
Age : 29 years
Occupation : Private Service
Residence : Adavi Nandyal

Duly Sworn on: 22/08/2025.

Examination-in-Chief by Ld. Spl. P.P.:

I know C.W.1/P.W.1. C.W.8 is my father. I know C.W.5 to C.W.7, 9 to 11.

I know the Accused Nos.1 to 4.

C.W.1 belongs to Hindu (Madar) Caste. Accused Nos.1 to 4 belong to Hindu (Kuruba) Caste.

On 07.05.2023, myself and C.W.1/P.W.1 had gone to Vadavadagi village to book the said Kalyana Mantap on my Motorcycle; while we were returning Vadavadagi village to our village i.e. Adavi Nandyal, when we were near the agricultural land of Accused No.2 at about 7.00pm to 7.30pm in the evening, wherein Accused Nos.1 to 4 had gathered near the spot; they had blocked the road by putting the stones across the road; due to which I stopped my vehicle, which I was riding; on seeing us, all the Accused persons surrounded us; and started abusing me in filthy language, wherein Accused No.2 dragged

my Shirt; Accused No.1 assaulted me with Pick-Axe on the top of my head; Accused No.2 assaulted me with the stick on my left leg; Accused No.3 assaulted me on my chest with his hands; and Accused No.4 was abusing me in filthy language; when C.W.1/ P.W.1 came to rescue me from the hands of the Accused persons, all the Accused persons abused him in filthy language by asserting aspersions on taking the name his Caste. When I was assaulted I fell down on the ground; thereafter I was taken for treatment to Government Hospital Basavana Bagewadi thereafter I was taken to District Hospital Vijayapura for further treatment.

One day prior to the date of incident, I was sitting with Accused Nos.1 to 4 at Adavi Nandyal Bus Stop, I got up and I was going, while going naturally I spit; on the same day in the evening at about 7-8pm all the Accused persons came to my residence and started abusing me in filthy language on contending that, I have spit by looking them; and they extended threat to me.

Basavana Bagewadi Police have enquired me; and I have given my Statement before the said Police.

I can identify the Pick-Axe, Wooden Stick and my Shirt.

Now M.O.1/Pick Axe, M.O.2/Wooden Club and M.O.3/Shirt present in the Open Court are shown to the Witness and questioned him to identify them. Witness identifies M.O.1 to M.O.3.

Cross-Examination by: Sri. MSH Adv., for Accused Nos.1 to 4:

Accused Nos.1 to 4 are my relatives as they happen to be my cousins.

It is true to suggest that, in Assembly Election, myself and my

family members have supported Raju Gowda from JDS Party. It is true to suggest that, when I called Accused Nos.1 to 4 to support Raju Gowda from JDS Party, they had refused to join and support.

It is true to suggest that, even when I had called Accused Nos.1 to 4 for the function at Huligemma Temple, the Accused persons had refused to attend the said function.

It is true to suggest that, Accused persons have informed me that, they will not attend any of the function pertaining to me and my family.

It is true to suggest that, I am having Political Power and Dominance over the villagers; and villagers concede to my demands.

It is false to suggest that, when Accused Nos.1 to 4 refused to join me to support Raju Gowda in the Assembly Election, I had warned Accused Nos.1 to 4 to take revenge against them.

On the day when myself and C.W.1 had been to Vadavadagi village to book Marriage Hall, at that time I had not informed Accused persons that, myself and C.W.1 are going towards Vadavadagi village.

It is true to suggest that, the road leading from Vadavadagi to Adavi Nandyal is a Tar road, and many vehicles ply on the said Road.

It is true to suggest that, around 7.00 to 7.30pm in the evening there will be darkness on the said Road; and due to the such darkness a person cannot identify the vehicles moving on the said Road. It is true to suggest that, the said Road has become a rough road, wherein pits have been formed.

It is false to suggest that, I on riding my Motorcycle in a high speed, without seeing the pits formed on the Road, fell down and sustained injuries.

It is true to suggest that, Accused No.4 is an age old person; and

he is not in a position to stand, on his own. It is false to suggest that, Accused No.4 is not possessing energy to assault me.

It is false to suggest that, Accused No.1 has shifted his residence to the Parental house of his wife at Shirol in Muddebihal Taluka. Witness volunteers that, after assault Accused No.1 has shifted his residence to Shirol. It is false to suggest that, after Covid-19 Pandemic, Accused No.1 is staying with his wife at Shirol in Muddebihal Taluk.

It is true to suggest that, Accused No.3 is driving a School bus. It is false to suggest that, Accused No.3 returns to his residence by around 8.00pm daily.

It is false to suggest that, Accused No.2 never resides in the village and he is doing Coolie work outside the village.

I on sustaining bleeding injury on my head, blood was fallen on the road; even my Motorcycle was damaged; and was fallen on the road.

It is false to suggest that, I am deposing falsely that Accused persons have caused assault upon me; as well as they have abused C.W.1/P.W.1 in filthy language, as contended by me in my examination in chief.

It is false to suggest that, I am deposing falsely that, there was an incident inbetween me and the Accused persons due to me spitting naturally, as contended by me in my examination in chief.

I am owning Motor-cycle since about 10 years. I do not remember the Registration Number of my Motorcycle.

It is false to suggest that, I am deposing falsely, in order to harass the Accused persons, in order to take revenge upon them.

It is false to suggest that, I have projected C.W.1/P.W.1 to

lodged a false Complaint against the Accused persons, inorder to get attracted Provisions of SC/ST (PoA) Amended Act-2015.

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,
VIJAYPUR, At: VIJAYPURA.**

SPL.C SC.ST NO.49/2023
CW No.01
PW No.01

Deposition of : Mallikarjun Madar
Father Name : Sangappa
Age : 40 years
Occupation : Agriculture
Residence : Adavi Nandyal

Duly Sworn on: 22/08/2025.

Examination-in-Chief by Ld. Spl. P.P.:

I know C.W.4 to C.W.11 and Accused Nos.1 to 4 present in the Open Court today, as they are from my village.

I belong to Hindu (Madar) Caste. Accused Nos.1 to 4 belong to Hindu (Kuruba) Caste.

About 2 years back, myself and C.W.4 had gone to Vadavadagi village to view Kalyana Mantap, to book the said Kalyana Mantap for scheduling the marriage of C.W.4. We both had gone to the said village on Motorcycle. While returning, when we were near the land of Accused No.4, wherein a Cot was kept obstructing the Road; Accused persons came and assaulted C.W.4, wherein Accused No.1 has assaulted C.W.4 with Pick-Axe on the left side back of his Neck and other Accused persons also assaulted C.W.4, on his legs with Sticks; when I went to rescue C.W.4, Accused persons have not done anything to me. It was around 7 to 7.30pm in the evening. Thereafter, myself

and C.W.4 returned to his residence; and I have informed the same to C.W.7; thereafter we all came to Government Hospital Basavana Bagewadi in the Car; thereafter C.W.4 was taken to District Hospital Vijayapura.

I do not know as to for what reason Accused persons have assaulted C.W.4. Nobody has intimated me the reason of such assault.

I have lodged a Complaint against Accused persons.

I affix my left thumb impression.

Now document/Complaint dated 12.05.2023 is shown to the Witness and questioned him to identify, whether the said document contains his thumb impression. Witness answers in the Affirmative. On identification, Complaint is marked as Ex.P4.

The Complaint is written by Ramachandra Sasanur/C.W.9.

After lodging the Complaint Basavana Bagewadi Police had come to the village, wherein I have shown the spot of incident. But I cannot state as to after how many days of lodging the Complaint Basavana Bagewadi Police had come to the village. On the said day I have shown one spot.

Now a document/Spot-cum-Seizure Mahazar is shown to the Witness and questioned him to identify, whether the said document contains his thumb impression. Witness answers in the Affirmative. On identification, Spot-cum-Seizure Mahazar is marked as Ex.P5.

Now, four Positive Photographs are shown to the Witness and questioned him to identify whether he is seen in the said Photographs. Witness answers in the Affirmative. On identification, the said photographs are marked as Ex.P.6 to 9.

Now a document/Spot Mahazar is shown to the Witness and

questioned him to identify, whether the said document contains his thumb impression. Witness answers in the Affirmative. On identification, Spot Mahazar is marked as Ex.P10.

Now, two Positive Photographs are shown to the Witness and questioned him to identify whether he is seen in the said Photographs. Witness answers in the Affirmative. On identification, the said photographs are marked as Ex.P.11 and 12.

I can identify the Pick-Axe and Wooden Stick/Club.

Now, Pick-Axe and Wooden Stick/Club present in the Open Court are shown to the Witness and questioned him to identify the same. Witness identifies them. On identification, Pick-Axe is marked as M.O.1 and Wooden Stick/Club is marked as M.O.2.

Now, Shirt present in the Open Court is shown to the Witness and questioned him to identify it. Witness identifies it. On identification, Shirt is marked as M.O.3.

(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, when we were returning to our native, at that time Accused Nos.1 to 4 caused restraint to our Vehicle.

It is false to suggest that, Accused No.1 started abusing C.W.4 in filthy language, contending that C.W.4 is spitting on seeing him in the Public place; and dragged him.

It is true to suggest that, Accused No.4 assaulted C.W.4 with his feet.

It is true to suggest that, when I went to rescue C.W.4, Accused No.3 assaulted me on my left hand with Iron Rod.

It is true to suggest that, all the Accused persons thrown C.W.4, besides the Rod.

It is true to suggest that, subsequently I went to the village and informed the same to the villagers, thereafter I came to the spot alongwith the villagers; when I returned, C.W.4 had sustained injury on his head, he was not in a position to speak.

It is false to suggest that, when C.W.4 regain his consciousness, I enquired him the caused for causing assault upon him; and he informed me that, on 06.05.2023 at about 6.00pm when he was sitting in the Bus Stand, even Accused Nos.1 to 3 were also sitting there, unfortunately he spit, on seeing it the Accused Nos.1 to 3 came to him and started abusing him, contending that he had spit on looking to them, thereby he has lowered their image in the Society; and they had come to his residence and caused threat upon him that, he had spit in the Public and lowered their image in the Society.

It is true to suggest that, I have taken C.W.4 for medical treatment; and on discussing the matter with the elders, I have lodged the Complaint.

It is false to suggest that, I have shown the Spot to Basavana Bagewadi Police, where C.W.4 had spit on looking to the Accused Nos.1 to 3.

Cross-Examination by: Sri. MSH Adv., for Accused Nos.1 to 4:

I am an illiterate person. I do not know the contents of the Complaint/Ex.P.4. I have not narrated the contents of the Complaint/Ex.P.4; and got it writtended. The Scribe/ C.W.9 has not

consulted me while writing the Complaint/Ex.P.4.

when we were returning from Vadavadagi village it was about 7.00pm in the evening; and it was dark. There is no lighting facility on the Road, on which we were returning to our residence.

It is true to suggest that, due to darkness and non availability of Light on the Road, one cannot identify the persons standing on the Road.

It is true to suggest that, I have not seen the persons causing assault upon C.W.4; due to darkness and non availability of lights on the Road.

Accused Nos.1 to 4 present in the Open Court have never abused me, nor have raised any quarrel with me, at any point of time.

It is true to suggest that, the Road leading from Nandyal to Vadavadagi village is a rough road, wherein pits have formed on the said Road. On the said day, we were going from Nandyal to Vadavadagi village.

I have not narrated before anybody that, we were coming from Vadavadagi village to Nandyal.

Sharanabasu/C.W.4 was riding the Motorcycle on that day; and I was the pillion rider.

It is false to suggest that, Sharanabasu/C.W.4 was riding the Motor-cycle in a high speed, he could not see the pits formed on road, due to which we both fell down from a running Motorcycle, wherein C.W.4/Sharanabasu sustained injuries.

It is false to suggest that, I am deposing falsely that, I have seen Accused No.1 assaulting Sharanabasu/C.W.4 with Pick-Axe; Accused No.2 assaulted Sharanabasu/C.W.4 with Club.

It is true to suggest that, when I had discussed with the elders,

they have narrated the contents of the Complaint and got written the Complaint/Ex.P.4, for which I have affixed my thumb impression to the said Complaint.

Today, I have come to the Court alongwith SharanabasuC.W.4.

It is false to suggest that, myself and SharanabasuC.W.4 have discussed as to what are all the things to be deposed in the Case.

It is true to suggest that, all my thumb impressions were taken by the Police in the Police Station.

It is true to suggest that, Pick-Axe like M.O.1 and Stick like M.O.2 are available in our village; even Pick-Axe like M.O.1 and Stick like M.O.2 is available in the residence of SharanabasuC.W.4.

It is false to suggest that, M.O.1/Pick Axe and M.O.2/Stick are taken from the house of SharanabasuC.W.4.

It is false to suggest that, M.O.1/ Pick Axe and M.O.2/ Stick was given to the Police by SharanabasuC.W.4.

It is false to suggest that, I am deposing falsely that, Accused Nos.1 to 4 have restrained our movements on the vehicle, while we were returning to our village; wherein Accused Nos.1 to 4 have assaulted SharanabasuC.W.4, as contended by me in my examination in chief.

Due to assault, blood had fallen on the road; but the blood was not stained to my clothes.

It is false to suggest that, Since, SharanabasuC.W.4 is my best friend, I on his instance has lodged a false Complaint against the Accused Nos.1 to 4; and today deposing falsely in this Case, to help SharanabasuC.W.4.

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.