

Date : 22.08.2024

C.C.No.09/2023

PW1 - Shri. Harishkumar

Cross Examination:

(Witness Voluntarily appeared in person for cross examination)

Q: I put it to you that you do not know the contents of the complaint filed before this court ?

A: Yes.

Q: I put it to you that you do not know the above relied upon documents by the complainant ?

A: Yes

Q: Is it correct to say that, you cannot say that the accused has deposited the cash in this bank account ?

A: Yes.

Q: I put it to you that you do not know the allegations of the accused ?

A: Yes.

Q: You joined the CUB, Karur branch in the year 2019. Is it correct ?

A: Yes.

Q: I put it to you that you will not know the details of the bank employees until I joined in the bank ?

A: Yes.

Q: I put it to you that you will not know the details of the depositors in the accused account ?

A: Yes.

Q: I put it to you that you do not know the quantum of specific deposit in the account of the accused ?

A: I have furnished the account statements of the accused, wherein the cash deposits were also recorded. From the account statement, total amount deposited can be easily arrived. Readily I cannot say the total amount.

Q: I put it to you that you do not even know the details of ECIR registered by the complainant ?

A: Yes.

Q: I suggest that you have not furnished any statement by consolidation of tabulation as referred in Para 13.2 of the complaint ?

A: We have given only the accounts statement of the accused, cash deposit slips and also cash reconciliation statement.

Q: I put it to you that no enquiry was conducted with me by the Enforcement Directorate ?

A: Yes.

Q: Whether you have given any statement before the Enforcement Directorate ?

A: No.

Q: I put it to you that you are not aware of the statements recorded from the other bank officials. Is it correct ?

A: Yes.

Q: Is it correct to say that, Ex.P1 Authorisation letter is the Xerox Copy ?

A: It is a print out copy.

Q: Whether you have requested the inspection department to go for giving evidence ?

A: I have given my request.

Q: Is it correct to say that my request letter has not been annexed along with the authorisation letter ?

A: Yes.

Q: Where is the Inspection department of your bank ?

A: No. 24B, Administrative office, Narayana, Gandhi nagar, Kumbakonam.

Q: Ex.P1 has been communicated to you by mail. Is it correct ?

A: Yes.

Q: In Ex.P2, letter a reference has been made in respect of a letter ECIR dated 18.10.2021 and it is not the letter sent by Mr. Karthick Dasari. Is it correct ?

A: No, the letter was sent by Mr. Karthick Dasari

Q: I suggest that you do not know the contents of the said letter ?

A: I know about the contents of the letter to the extent of the requirements of the Enforcement Directorate from the bank.

Q: I put it to you, the referred letter in Ex.P2 has not been produced before this court by you ?

A: Yes.

Q: I put it to you have not enclosed the account opening forms to the Enforcement Directorate ?

A: No, I have produced the account opening forms to the Enforcement Directorate

Q: In Ex.P2, the account opening forms have not been enclosed. Is it correct ?

A: Yes.

Q: You have stated in my chief examination, about the letter dated 28.02.2022 but Ex.P3 covering letter, dated 16.12.2021. Is it correct ?

A: I have reiterated that, I have issued the letter dated 28.02.2022.

Q: I put it to you that as per your communication in Ex.P4, you have not furnished the statement of accounts in 2 days or afterwards. Is it correct ?

A: From the available document Ex.P4, I cannot answer the question. For which I have to go through the other documents.

Q: You do not know the date on which the account was closed (Ex.P4 – Page 2, S.No.3, A/c No. 203942). and the date of closure was not mentioned in it. Is it correct ?

A: Yes.

Q: Whether you are not able to say now about the date of closure of the said account ?

A: Yes.

Q: Ex.P6 is not the letter which you have referred in your chief examination as the letter dated 25.02.2022. Is it correct ?

A: Yes.

Q: Is it correct to say that there is no letter dated 25.02.2022 ?

A: No, there is a letter dated 25.02.2022.

Q: Is it correct to say that, the letter dated 25.02.2022 has not been marked through you ?

A: Yes.

Q: Is it correct to say that, though you have stated in your chief examination that you have furnished the statement of accounts in A/c no. 203794 for the period from opening of account 27.07.2013 to 20.08.2022, but Ex.P2 it has been furnished only till 10.11.2019. Is it correct ?

A: I have not stated so but I have stated that, I have submitted the certified copies of the cash deposit slips pertaining to the said account from the date of opening of account 27.07.2013 to 28.02.2022, as required by the Enforcement Directorate.

Q: In Ex.P7, could you identify Cash Deposit Slips dated 20.08.2022 ?

A: It is not there, I have mentioned the period only and not stated that there was a Cash deposit slip dated 20.08.2022.

Q: In Ex.P9 is the statement of the account of the accused till 2019. Is it correct ?

A: No, the account statement is available upto 28.02.2022 as per my earlier statement.

Q: What was the last transaction in the above said statement of account of the accused ?

A: 10.11.2019.

Q: I suggest that you have not produced the statement of account pertaining to Nanthana Investments. Is it correct ?

A: It is already available with the court in Ex.P9.

Q: Is it correct to say, that the originals of Counterfoil Challans were produced before this court as per the order of this court by the then branch manager ?

A: Yes.

Q: I suggest that, In Ex.P5, there is no reference about anything and it has been issued by you suo-moto ?

A: No, It was asked by Mr. Karthick Dasari, Deputy Director, Enforcement Directorate.

Q: The account mentioned in Ex.P5, page 3, is the loan account. Is it correct ?

A: Yes.

Q: Whether cash can be deposited in a loan account ?

A: Yes.

Q: I put it to you that, in Ex.P5, in page 5, the transaction dated 27.02.2018, a sum of Rs. 69,000 was deposited in the said account number. Is it correct ?

A: Yes.

Q: In Ex.P7 Series documents, the 1st slip dated 29.07.2013, there was no signature appended in the column of clerk/manager. Is it correct ?

A: The cashier and the passing officer have signed in the said slip but not the manager.

Q: I put it to you that, In Ex.P8, in challan No.1 dated 29.07.2013, in the xerox copies there was a question mark in the total column at the backside of the slip, but there was no such question mark in originals produced by the bank. Is it correct ?

A: Yes, I have been asked to send the certified copies by the Enforcement Directorate and before submitting those documents, I have gone through the

Cash deposit slips and identified some errors and put the question marks in pencil. When the originals of the said documents were sent to this court by the then manager, he has erased the pencil marks.

Q: In Ex.P7, S.No. 205993, Challan dated 14.03.2014, there were no signature of the cashier. Is it correct ?

A: No, there was a signature.

Q: In Ex.P7, at the backside of the S.No. 205993, Challan, dated 14.03.2014, there was a correction and striking off in the denomination column. Is it correct ?

A: Yes it is there.

Q: I put it to you that the correction the then manager has corrected in Ex.P7 in denomination column. Is it correct ?

A: I do not know who has corrected it.

Q: In Ex.P7, at the backside of the S.No. 303763, Challan, dated 14.03.2014, token no. 33 has been mentioned. What does it mean ?

A: I do not know.

Q: In. Ex.p7, at the backside of the challan, dated 12.09.2014, it has been shown as 1,05,000 in the denomination column and in the front page it has been mentioned as Rs. 15,000. Is it correct ?

A: Yes, to clarify these discrepancies, the then manager has produced before the court the cash deposit slips and denomination reconciliation statements (Serial number 6 in Ex.P9).

Q: Is it correct to say that the original slip and the reconciliation statement have been authored by different officers respectively. Is it correct ?

A: Yes.

Q: Reconciliation statement has been prepared only for the purpose of the case. Is it correct ?

A: Yes.

Q: In Ex.P8, the reference number 700344806 at the backside of the Challan dated 13.12.2014, there is a complete difference in the front page of the challan foil and the backside of the denomination. Is it correct ?

A: Yes, the denominations are different. The then manager has produced before the court the cash deposit slips and denomination reconciliation statements (Serial number 7 in Ex.P9).

(At the request of counsel for the accused, the cross examination is adjourned)

Typed to my dictation in my presence and hearing and under my personal dictation and superintendence and interpreted to the witness in the presence of the accused and admitted and signed by the witness to be correct.

Principal Judge