

Calendar : C.C. No. 59/2003
Defence Witness : DW 3
Name : Shri. Krithivasan

Solemnly affirmed in accordance with the provisions of the Oaths Act, 1969 (Central Act 44 of 1969) on the 28th day of July 2026.

sd/-

Signature of witness

(A1 present. All other accused absent. Petitions U/s. 317 Cr.P.C filed and allowed. All Accused counsel present.)

Continuation of Chief Examination: (Time – 10.35 a.m. to 11.40 a.m.)

I am submitting herewith covering letter along with certified copy of salary particulars with details of gross salary and deductions when I was working in the Western Railways for the period from December 1996 to August 1997. The said letter contains traveling allowances as well and the said letter is now marked as **Ex.D.76(Original, 2 sheets)**.

Yes it is correct to state that I have two bank accounts in Central Bank of India and Indian Bank, Chennai. The said statement of accounts are already exhibited through PW1 and PW2. The counterfoils pertaining to Central Bank of India is now marked as **Ex.D.77(Original, sheet No.1 to 189)**. The counterfoils pertaining to Indian Bank is now marked as **Ex.D.78(Original, Sheet No.1 to 142)**. The counterfoils were seized by CBI during investigating of this case but through 91 of Cr.P.C the same has been produced by them. The counterfoils will exhibit the

dividends received by me and deposited in my account, rental income, dividends and maturity payments of Fixed deposits and capital gains from Mutual funds.

The Sl.No.1(b), Salary income in Annexure C contains gross salary income received during the period from 17.12.1993 to January 1995 at Indonesia. As per the particulars available in the file, after the deduction of income tax at Indonesia however this does not include the payments of Rs.9,100/- per month payable to me as per Ex.D.55. The first item, the payments of Rs.6,416.50 on 14.12.1993 at the Indian Railways Construction Company Ltd. (IRCCON). This was paid in cash. (Since the document produced in the xerox the same is not marked.)

Item No.2, Payment of Rs.46,981.80 being salary from 17.12.1993 to 15.04.1994 as per the letter on 24.06.1994 from IRCCON. The said letter dated 24.06.1994 is now marked as **Ex.D.79(Original, 1 sheet)**. The said amount was credited on 05.07.1994 in my State Bank of India account at K.K.Nagar branch (Ex.P.195).

Item No.3, Letter dated 30.08.1994 from IRCCON being details of salary from 19.01.1993 to 16.12.1993 which is in addition to the previous payments. This includes payments of Rs.4385.20 and Rs.5353.50. The said letter dated 30.08.1994 is now marked as **Ex.D.80(Original, 1 sheet)**.

The letter dated 24.01.1995 from IRCCON for payment of Rs.9,100/- for June 1994. The said letter is now marked as **Ex.D.81(Original, 1 sheet)**.

The last pay certificate dated 24.05.1995 for Rs.4224.20 for the period from 05.01.1995 to 13.01.1995. The said document produced is xerox therefore the same is not marked.

Leave Encashment proposal on 16.04.1995 of U.S.D. 442 and Rs.7886.67. The said proposal is now marked as Ex.D.82(Original, 1 sheet).

Out of this for USD 422 equivalent Indian Rupees is Rs.13,390/- was credited on 16.09.1995 in Ex.P.220 at page No.608 of Canara Bank account. The total payments comes to Rs.97,737.87.

I was working in Iraq from March 1979 to 30.06.1984. During this period my salary were credited in foreign exchange by Rites to my bank account in Bank of Baroda, Dubai. From this bank I also transmitted payments to Grindlays Bank, London, Citi Bank, New York and National Bank of Kuwait. As per Sl.No.1(g) of Annexure C, the prosecution has shown income from repartition from Iraq as Rs.4,33,571/-. As per Ex.D.51 and Ex.D.52 RITES have allowed repartition upto 75% of salary which was enhanced to 85% by Ex.D.52. Though PW3 Manager of Bank of Baroda had given my bank details to the investigating officer, this has not been produced by the investigating officer. Though I have given the details of my NRE Account No.12285 in Grindlays bank, Chennai, the bank accounts have not been collected by IO nor the bank manager had been cited as witness. Due to long passage of time, many credit details in these accounts are not available, the available details of repartition is as follows :

1) Bank of Baroda, Nungambakkam SB A/c. No.2367. As per Ex.D.39 balance on 12.07.1994 was Rs.41,131.75 which is also confirmed by PW3. Out of these Rs.3965/- only is taken as Assets at the beginning of check period as per Annexure A. The balance amount has to be taken into in Annexure C.

2) As per the Ex.D32 and Ex.D.39 the statement of account pertaining to Bank of Baroda subsequently an amount of Rs.68,065.84 was received as credit in foreign exchange. This fact was not considered and credited in Annexure C.

3) Bank challan dated 16.07.1984 an amount of Rs.13,167.25 is submitted is now marked as **Ex.D83(Carbon copy, 1 sheet)**. The same was not shown by the investigating officer in Annexure C.

4) Retention money of Rs.19,152/- was paid as per cheque No.465251 dated 19.09.1984 as per RITES letter dated 29.11.1984. The said document is now marked as **Ex.D.84(Original, 1 sheet)**.

5) USD 118.17 was sent from National Bank of Kuwait to Bank of Baroda on 24.10.1984 equivalent rupees at the rate of 8.33 per dollar is Rs.984.35. The said document is now marked as **Ex.D.85(Original, 1 sheet)**.

6) Grindleys bank, Rajaji salai, Item No.1 as per Ex.D.66 as per bank's letter dated 30.01.1985 balance on 12.07.1984 is Rs.246.92, Fixed deposit on 12.07.1984 is Rs.1854.76, credit on 22.10.1984 is Rs.1,01,094.15, credit on 30.10.1984 is Rs.2362.60 and credit on 07.01.1985 is Rs.43646.45, total of these is Rs.1,49,204.88.

7) Item No.2 as per Ex.D.67 as per bank's letter of 18.12.1985 credit on 27.11.1985 is Rs.43,646.45 from City Bank, credit from Grindlays bank, London on

05.12.1985 is Rs.58811.98, credit from Citi Bank on 15.10.1985 is Rs.7535.80. The total of these is Rs.1,09,994.23.

8) The interest on fixed deposit is Rs.493.15 on 18.05.1995 and Rs.295.9 on 03.06.1985. The total is Rs.789.05. For the Fixed deposit I am submitting three receipts of Grindleys Bank dated 18.05.1985, 03.06.1985 is now marked as **Ex.D.86(Original, 3 receipts).**

9) Redemption of Fidelity Select Health Care in USD 1310.90 on 02.09.1985 is Rs.15,508.49. The certificate issued for the above said Health Care and the original receipts is now marked as **Ex.D.87(Original, 2 sheets).**

10) Redemption of Fidelity Magellan Fund Dollar 1263.59 on 09.01.1986 for Rs.15314.73. The said certificate along with invoice is now marked as **Ex.D.88(Original, 3 sheets).**

11) Redemption of 20th Century Investors SELECT of Dollars 1390.84 and Growth of Dollars 1321.72 on 02.03.1987, the total dollars 2712.56. The amount is Rs.35130.33. The counterfoil is now marked as **Ex.D.89(Original, 1 sheet).**

12) The redemption of Fidelity SELECT Technology Dollars 2769.21 on 07.05.1991 and dollar 727.24 on 09.08.1991 total dollar 3496.45 at the exchange rate of Rs.22.74 for USD is amounts to Rs.79509.27. But the above said credit is already available in Ex.P.178. Total for Grindelys bank is Rs.4,05,450.95. The total of repartition in Bank of Baroda and Grindleys bank is Rs.5,43,987.42. This amount may be taken as income in Annexure C.

13) The prosecution has shown the rental income of my house at K.K.Nagar as per Annexure C in Sl.No.2(c) as Rs.16,84,100/- for the check period. This house consists of a large ground floor, which is divided into 2 portions in the first floor and a second floor. The ground floor was in occupation of myself and my family till May 1989. After which I moved to Railways quarters and rent for the same was recovered from June 1989 as per Ex.P.106. One Shri J.Narayanan / PW40 has given details of his occupation from July 1989 to May 1996. The amount paid by him is given in Ex.P.120 which amounts to Rs.3,72,000/-. The next occupant was Shri P.Ravindran / PW51. He has given the details of rent paid by him in his evidence. The total rent paid by him is Rs.3,73,000/-. The next occupant was from June 1999 to October 2000 given to one Mr.Raju which is in Ex.P.328. The statement of details of payment of rent paid by Mr.Raju is now marked as **Ex.D.90(Original, 1 sheet)**. *(The learned Public Prosecutor objected for marking of the above said document. The objection will be decided at the time of judgment.)*

An advance of Rs.1,20,000/- was credited in SB account No.12382 of Meenakshi in Central Bank of India on 04.06.1999 available in Ex.P.5.

*On the request of the learned counsel for the **accused**, for continuation of chief examination is adjourned to another date.*

Taken down by me/before me in open court,
interpreted/read over to the witness and admitted
by the deponent to be correct.

**XXIV Addl. City Civil & Sessions Judge,
XIII Addl. Special Court for CBI Cases(FAC),
Chennai.**