

State By Jc Nagar Police vs A1 Ejaz Saleem - (Dead) Abated on 16 March, 2016

IN THE COURT OF THE XXXIII ADDL.CITY CIVIL &
SESSIONS JUDGE & SPL. JUDGE (NDPS),
BANGALORE. CCH.33.

PRESENT:

Sri. D.Y. BASAPUR, B.Com., LL.B. (Spl.)
XXXIII ACC & SJ & SPL.JUDGE (NDPS)
BENGALURU.

DATED: THIS THE 16th DAY OF MARCH, 2016

SPL.C.C. NO.204/2009

COMPLAINANT : State by JC Nagar Police
(By Public Prosecutor)

V/S.

ACCUSED : A1 Ejaz Saleem - (dead) abated

A2 Pappa Joe - Split up in
Spl.C.C.181/13

A3 Arole Deepak D Mello,
S/o.Joseph D Mello, 28 years,
R/a.25/26/1989, MR Bhat Lane,
Neaar Casia Church, Jappu,
Mangalore - 2.

(A3 by Sri KSV., Advocate)

1. Date of Commission of offence: 5.9.2009

2. Date of report of offence: 5.9.2009

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3. Arrest of the accused : A3 - 5.9.2009

4. Date of release of accused on
bail: A3 - 18.12.2009

5. Period undergone in custody: 3 months 13 days

6. Date of commencing of
recording Evidence : 11.9.2014

7. Date of closing of Evidence : 25.2.2014

8. Name of the complainant: Sri Lakshman R, PI
9. Offence complained of : U/s. 22 of NDPS Act, 25 of Indian Arms Act & 14 of Foreigners Act.
10. Opinion of the Judge : Offence not proved
11. Order of sentence : As per final order

JUDGMENT

The Police Inspector, JC Nagar Police Station, Bangalore filed charge sheet against accused persons in Cr. No.149/09 for the offences punishable U/Sec.22 of N.D.P.S. Act and 25 of Indian Arms Act.

2. Brief facts of the case are as under:

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3 SPL.C.C.204/09 The complainant- R. Lakshman, ACP, CCB, (W&N), N.T. Pet, Bangalore on 5/9/2009 at 11-00 a.m. when he was in the office received credible information stating that three persons by sitting in the car No.KA-01-MQ-786 at Jayamahar Extension, 1st Main Road, the road leading to Castle Rock Apartment are selling drugs to the customers. Thereby ACP along with his staff and panchas and his P.I Siddaraju left CCB at 11-50 a.m. and reached the spot at 12-30 p.m. and at about 12-40 p.m. they surrounded the car and found three persons, one person was sitting on the driver seat and another person was sitting on the left side of the back seat and another person was sitting right side of the back seat. ACP served Sec.50 notice and through that Siddaraju he searched accused No.1 Ejaz Saleem he was wearing green colour kurtha and Khaki colour pyjama. From his right pocket of pyjama one plastic cover containing cocaine was found and it was containing 20 grams and from it he took 5 grams as sample and from him totally Rs.2,40,000/- cash was found along with a mobile, electronic small balance and he was selling 1 gram of cocaine for Rs.10,000/- and accused No.1 was purchasing cocaine from accused No.2 Pappajo @ Joseph Ouma Achola. Accused No.1 gave his voluntary statement and on 5/9/2009 ACP from the house of accused No.1 has recovered cocaine of 10 grams and one firearm and they were all seized. When the personal search of accused No.2 Pappajo @ Joseph Ouma Achola was conducted he was wearing white and blue checks half sleeves shirt and blue colour jeans pant and the accused No.2 by putting his hand inside the pant took out a plastic packet containing cocaine of 30 grams and from it 5 grams of cocaine was taken as sample and from accused No.2 Rs.23,500/-cash, Nokia mobile and from his pant hip pocket Republic of Kenya Passport was found and they were all seized and the visa was expired to stay in India. When accused No.3 Arol Deepak D. Mello was searched he was wearing brown colour half sleeves shirt with checks design and blue colour jeans pant and from his right pant pocket one plastic cover was recovered containing 10 grams of cocaine and 5 grams was taken as sample and also CCH-33 5 SPL.C.C.204/09 he was found with possession of Rs.1,50,000/-, Rs.1,54,000/- and Rs.18,000/-cash, Nokia mobile, Samsung mobile. In view of his voluntary

statement when his house was searched on 5/9/2009 he was found with cocaine of 12 grams and 5 grams of cocaine was taken as sample and pieces of 25 grams of Hashish was found and 2 pieces was taken as sample and from the Godrej beeru mud pipes and mud sticks used for using drugs were found and they were all seized and prepared panchanama. In this regard ACP has filed complaint before P.I, J.C. Nagar police station.

3. After taking cognizance registered the case. A1 is reported to be dead, hence, case against A1 is abated. After granting bail, A2 remained absent. Case against accused No.2 is split up and separate case in Spl.C.C.181/2013 is registered and pending against accused No.2. Copies of the prosecution papers were supplied to accused No.3 U/Sec.207 of Cr.P.C. After hearing, charge framed U/Sec.22 of N.D.P.S. Act, read over and explained to him. Accused No.3 pleaded not guilty and claimed to be tried.

4. In support of the case, prosecution has examined P.Ws.1 to 9 and got marked Exs.P1 to P60 and M.Os.1 to 31. After closure, accused No.3 is examined U/Sec.313 of Cr.P.C., he denied the incriminating circumstances appeared against him and not chosen to adduce any oral evidence for his defence but got marked one document as per Ex.D1.

5. Heard the arguments on both sides.

6. The points for consideration are as under:

1. Whether the prosecution proves that on 5.9.09 at about 12.40 pm., at I Main road, Jayamahal Extn., in front of Cassel Rock Apartment, accused No.3 was found in possession of 10 grams of cocaine, which is a narcotic drug without license or permit for the purpose of selling and on the confession statement of A3 seized 25 grams of cocaine, 25 grams of Hashish from the residence of A3 CCH-33

7 Spl.C.C.204/09 being in knowledge and possession of the same in his house without any licence, there by accused No.3 committed the offence u/S.22 of NDPS Act?

2. What order?

7. My findings on the above points are as under:

Point No.1: In the negative.

Point No.2: See the final order for the following:

REASONS

8 POINT NO.1 :- The learned P.P. vehemently argued that as per evidence of pws.1 to 9 and Exs.P.1 to P.60 and M.Os.1 to 31, the prosecution proved the guilt. Learned counsel for accused No.3 argued that no mandatory provision complied and so many contradictions and discrepancies found in the

prosecution witnesses.

9. On careful perusal of the materials placed on record, the prosecution mainly relied on the testimonies of P.Ws.1 and 7.

P.W.1 has stated that on 5.9.09 at 11.00 am., he received credible information through phone that three persons in a black colour car near Jayamahall extension, I Main road, Cassel Rock Apartment are selling drugs. He reduced the same in diary and sent information to DCP through phone and obtained permission. He secured panchas and informed the information and issued notice Ex.P1 and P2 to them. He sent another requisition in writing Ex.P2 to DCP and obtained permission. He secured 8 staff members and informed about the information. He further stated that before going for raid himself, panchas and staff members conducted personal search for themselves and confirmed that they are not having any contraband. They went to the spot at 12.30 pm., and noticed car bearing No.KA 01 MQ 786 where 3 persons were sitting inside. On enquiry CCH-33 9 SPL.C.C.204/09 they stated their names. He intimated them to elect the type of officer i.e., Gazetted officer or Magistrate for search of their person and asked them to exercise their right. They consented to be tested by gazetted officer. As he himself is a gazetted officer he issued notice Ex.P4 to P6 and obtained signatures. He further stated that on personal search of A1 they seized 20 grams of cocaine, out of which 5 grams taken for sample. From the left side pyjama pocket there was cash of Rs.1,40,000/- from the back side pocket they seized Rs.1,00,000/-, from right side back pocket one mobile and in the same pocket a small electronic weighing balance. A1 further stated in his confession statement Ex.P7 that he got cocaine in his house. He further stated that they searched A2. inside his underwear they found 30 grams cocaine. They took 5 grams towards sample. In his right side pant pocket there was cash of Rs.23,500/-, in the left side pocket Nokia mobile, in the back side pocket passport, VISA. He further stated that on search of A3 they found 10 grams of cocaine in his right side pant pocket. 5 grams was taken separately for sample. In the left side pocket cash of Rs.1,50,000/-, in the back side pocket cash of Rs.1,54,000/- and from left side pocket cash of Rs.18,000/- was seized. Accused No.3 in his confession statement Ex.P13 stated that he has kept cocaine and hashish in his house. They prepared panchanama Ex.P14 in the presence of panchas. He further stated that, A1 took him to his house at Flat No.26, Cassel Rock Apartment, Block 1B where 10 grams cocaine and one pistol and writing notes were found. They seized the same and 5 grams of cocaine was packed separately for sample. They prepared panchanama Ex.P16. They went to the house of A2 and 3 at No.1/9, Asaya Road, 1 Cross, Ulsoor Lake, Bangalore and seized 12 grams of cocaine. A2 produced plastic bag where 7 grams of Hashish, mud pipes for smoking drugs, 2 mud sticks, ID cards, bank card, DL, ATM card, Health card, agreement deed of rent were seized from their possession. They prepared panchanama Ex.P17.

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10. In the cross examination of P.W.1, stated that in Ex.D1 copy of movement register, time and date of attending duty is not appearing and at the time of taking xerox the date is skipped out. According to P.W.1 he reduced the information in writing in movement register and it is not got marked by the prosecution. In the cross examination, copy of movement register which was enclosed with charge sheet confronted as Ex.D1. On perusal of Ex.D1 it does not bear the date. So the testimony of P.W.1

that he reduced the information in writing is not proved by producing original document or attested copy. Further P.W.1 stated that he has not called the independent public persons of the locality even though there were commercial and residential premises near the spot. He admits that he has not mentioned in the panchanama regarding the information reduced in writing. P.W.1 admits that in Ex.P4 to P6 notices issued to the accused persons there is no specific description of right available to the accused U/s.50 of NDPS Act. He has stated that neither he called the independent gazetted officer nor brought before Magistrate and also he has acted as raid and search officer as well as gazetted officer because accused consented for it. When P.W.1 himself acted as search and seizure officer, he has to produce the accused before independent gazetted officer and also he has to explain the existing legal right of the accused. Ex.P4 to P6 reveal that he put a question that "do you required to be searched by a Gazetted officer or Magistrate and as he himself is a gazetted officer no objection if you are searched by him?" Answer obtained is "Yes you can search his body". So existing legal right is not properly explained and it is not proper consent given by the accused to be searched by P.W.1 himself. He has stated that he has not kept separate notes regarding tracing of articles in possession of accused No.3 and he do not remember the name of the person who has written on M.Os.1 to 31. The hand writing is of different person. He has stated that sewing machine is not taken to the spot. Small bags are stitched earlier and available in office.

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11. P.W.1 further stated that he personally went to Police station. In complaint, time is put by I.O on Ex.P19 as 21.30 hours and he can come back to CCB office within 45 minutes. However, in Ex.D1 there is entry that by 21 hours, P.W.1 returned to the office and details of registration of case at JC Nagar P.S. is mentioned and also mentioned that he left office and went home by 21 hours. As per Ex.P19 the case is registered at 11.30 pm., but in Ex.P11 it is mentioned at 11.00 pm. There is entry regarding complaint lodged at JC Nagar P.S. and he left the CCB office at 11.00 pm. Further, P.W.1 stated that he filed complaint in the police station and taken information of the next No. of the F.I.R, i.e., Cr.No.204/11 then he came back and entered in his diary. It may be gathered that P.W.1 tried to register the case by taking the next crime no., and came back to his office prior to actually registering the case by I.O. Thus, it goes to show that he has not personally went to the P.S. and lodged the complaint. So, the testimony of P.W.1 is quite inconsistent to his chief examination.

12. P.W.1 denied that after noticing phone No., of accused No.3 through his staff members took his staff members to the house of accused No.3 by 10.30 pm., and nothing was found in the house of accused No.3. He recovered Rs.18,000/- legal money and taken custody of accused No.3. He denied that accused No.3 was not possessing any drugs as alleged.

13. P.W.7 is also one of the raiding parties and he has supported the testimony of P.W.1. In the cross examination P.W.7 stated that P.W.1 has not shown the information reduced in diary. Search memo is not prepared separately. He has denied the suggestions put to him. P.W.8 has stated that P.W.1 lodged the complaint. He registered the case and submitted the F.I.R. he arrested the accused and remanded to judicial custody. In his cross examination admitted that after registering the case, Cr.No., will be written.

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14. P.W.4 independent seizure witness stated to be the purchaser of cocaine from accused No.3 has not supported the case of the prosecution. Nothing is elicited in the cross examination by learned PP, except denial.

15. P.W.5 stated that he produced the sample articles to F.S.L office and obtained acknowledgement and also submitted the F.I.R to Magistrate and obtained acknowledgement. He denied the suggestions put to him in his cross examination. P.W.6 stated regarding the letter Ex.P3 produced to DCP. In his cross examination he denied the suggestions.

16. P.Ws.2 F.S.L officer has stated that he conducted various tests on the sample articles and issued report Ex.P21 and opined that the sample articles responded positive for 5% of cocaine in article Nos.1 to 5 and article No.6 responded positive for Hashish and article No.13 responded positive for Charas. But in article Nos.7 to 12 no drugs found. In his cross examination stated that he has not mentioned the date of examination in his report and denied that he has not personally conducted the tests.

17. P.W.9 F.S.L officer stated regarding the opinion on the handwriting of accused No.1. The evidence of P.W.9 is in respect of accused No.1 alone. Evidence of P.W.9 is not helpful prove the guilt of accused No.3, as accused No.1 is dead and case is abated against him.

18. Independent panch witnesses are not examined by the prosecution in spite of sufficient opportunity was given. So in the absence of corroborative independent panch witnesses, testimony of raiding members P.W.1 and 7 cannot be believed and creditworthy. As per evidence of P.W.2 some of the sample articles responded positive for cocaine, Hashish CCH-33 17 SPL.C.C.204/09 and Charas but the said articles were seized from the possession of accused No.3 is not proved by the prosecution.

19. Accused No.3 suggested that his legal money of Rs.18,000/- seized from his possession. According to him, P.W.1 came to his house along with accused Nos.1 and 2 on their statement and seized the said amount. Mere suggestion regarding seizure of Rs.18,000/- is not an admission. Even accused No.3 has not claimed the said amount immediately after the seizure. He has not filed application U/s.451 of Cr.P.C., for interim custody. First time in the cross examination of P.W.1 it is suggested. Accused No.3 has not placed any material to believe that legal amount of Rs.18,000/- seized from his possession. it is settled law that the prosecution has to prove the guilt beyond reasonable doubt with corroborative reliable evidence. So many considerable contradictions and discrepancies found in the prosecution witnesses.

20. Ex.P1 and P2 notices issued to panchas is not proved as they are not examined. It is suggested to P.W.1 that said panch witnesses are stock witnesses of CCB. Any how, mere marking of Ex.P1 and P2 is not sufficient without supporting evidence of independent panch witnesses. Ex.P14 to P17 panchanamas does not reveal the information reduced in writing and intimation sent to superior officer and the same are not proved by examining independent panch witnesses. Ex.P9 complaint

also does not disclose regarding compliance of mandatory provisions. Ex.P20 photos of vehicle reveal the number of the vehicle as KA-01-MQ-786. But the said vehicle is seized from the possession of accused persons is not proved. Other documents are pertaining to accused No.1 who is dead.

21. The learned counsel for the accused No.3 relied on the following decisions:-

2013 Crl.L.J. 474 Suresh and others Vs., state of Madhya Pradesh CCH-33 19 SPL.C.C.204/09 2011 Crl.L.J. 680 Vijaysinh Chandubha Kadeja Vs., State of Gujarat 2004 AIR SCW 4995 State of West Bengal and others Vs., Babu Chakraborty 2007 (1) SCC (Crl) 744 Ritesh Chakarvarti Vs., State of MP 2007 (1) SCC 450 Dilip and another Vs., State of MP AIR 1995 SC 244 Ali Mustaffa Abdul Rahman Moosa Vs., State of Kerala 2014 Crl.L.J. 1756 State of Rajasthan Vs., Parmanand and another AIR 2009 SC 2441 State of UP Vs., Subhash Kumar Singh Tomar 1999 SC 2378 State of Punjab Vs., Baldev Singh 1992 Crl.L.J. 3034 Shankar Raju Banglorkar Vs., State of Goa AIR 2005 SC 2221 State of Rajasthan Vs., Ram Chandra 2014(5) SCC 345 State of Rajasthan Vs., Parmanand and another AIR 2013 Supreme Court 357 in the case of Krishan Chand Vs., State of Haryana wherein it is held that:-

(A) Narcotic Drugs and Psychotropic Substances Act (61 of 1985), Ss 42, 50, 57 -

Search - Pre search requirement of recording information received and sending it to superior officer-Demands exact and definite compliance as opposed to substantial compliance - So is requirement of S.50 - Compliance with provisions of S.57 does not dispense compliance with requirements of Ss.42 and 50.

2014 Crl.L.J. 1756 in the case of State of Rajasthan Vs., Parmanan and another wherein it is held that:-

(c) Narcotic Drug and Psychotropic Substances Act (61 of 1985), S 50 - Search and seizure -

Option to be searched before Gazetted officer or Magistrate -third option given to accused persons viz., to be searched before Superintendent who was part of raiding party-Would frustrate provisions of S.50 (1) Search conducted therefore, is vitiated."

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(c) Narcotic Drug and Psychotropic Substances Act (61 of 1985), S 50 - Search and seizure-

procedure-Right given to accused to get searched in presence of Gazetted officer or Magistrate -fact that members of raiding party informed accused that Gazetted Officer is present in raiding party-It

is allurement given to accused prompting him for expressing no objection for being searched in presence of said Gazetted officer - An not for asking to be searched in presence of any other Gazetted officer or Magistrate -Sai procedure is against safeguard provided by S.50 to accused.

AIR 2013 Supreme court 953 in the case of Sukhdev Singh Vs., State of Haryana wherein it is held that:-

(B) Narcotic Drug and Psychotropic Substances Act (61 of 1985), S 42 - Search and seizure - On receipt of secret information-

Requirement to reduce information in writing and sent it forthwith to superior officer- Is mandatory-Needs strict compliance-Some delay in compliance is permissible only for special reasons but compliance should be prior to recovery.

(c) Narcotic Drug and Psychotropic Substances Act (61 of 1985), S 42, 15 - Search conducted hours after receipt of information-no effort was made by I.O to reduce information in writing and inform his higher authorities instantaneously or even after or reasonable delay-No evidence produced to show as to what prevented I.O from recording information and sending it to superior total non compliance with provisions of S.42 - Such defect is incurable -Accused liable to be acquitted.

2009 CrL.L.J. 2407 in the case of UOI Vs., Bal Mukund and others wherein it is held that:-

(B) Narcotic Drug and Psychotropic Substances Act (61 of 1985), Ss.8, 18, 67 - Recovery of narcotics-confessional statements by accused-

CCH-33 23 Spl.C.C.204/09 Admissibility purported raid conducted early in morning-Large number of police officers including high ranking officers were present-accused were found to be in possession of 10 Kgs., of narcotics- Documents categorically show that accused were interrogated - Therefore, confessional statements cannot be said, in the backdrop of aforementioned events, to be made by them although they had not been put under arrest- court while weighing evidentiary value of such statements cannot lose sight of ground realities- circumstances attendant to making of such statements should be taken into consideration. On careful reading of the above said decisions, the fact, circumstances and ratio is similar with case on hand.

2014(4) Crimes 304 (P&H) - Ram Lubhaya vs. State of Punjab, 2011 (3) Crimes 210 (SC) - Rajendra Singh vs. State of Haryana, 2013 (1) Crimes 51 (SC) - Suresh and others vs. State of Madhya Pradesh, 2011 (4) Crimes 26 (SC) - State of Delhi vs. Ram Avtar @ Rama, 2011(1) Crimes 508 (Karnataka)

- K.K. Rejji and others vs. State by Murdeshwar Police Station, Karwar.

2014(2) Crimes 234 (Kar) in Ravi and others Vs., State by Manna-E-Khelli Police, Bidar district wherein it is held that:-

"Narcotic Drugs and Psychotropic Substances Act, 1985 - Sections 20(b)(ii)(c) and 42 - Recovery of 5 bags of ganja weighing 45 kilograms from possession of appellants - Conviction by Trial Court - Appeal against conviction - Failure to comply with procedure under section 42 of Act - absence to record in writing the information received in first instance - No emergent situation which warranted postponement of said Act of recording the information received in writing-Nor any such record in writing at a later point of time

- Held entire proceedings Vitiated by virtue of failure to record circumstances in writing - Quantity of ganja indicated as having been in possession of appellants was also inaccurate as the weighment was of stalks, leaves seeds and possibly the flowering and fruiting tops - inaccurate weighment would have a telling effect on the degree of punishment that could be imposed-this was because NDPS Act provides for a schedule which prescribes the degree of punishment dependent on the weight of substance CCH-33 25 SPL.C.C.204/09 involved -m hence, held that there was a failure in the charges being framed accurately against accused - impugned judgment of court below set aside - Appeal allowed."

2014 (1) Crime 324 (SC) State of Rajasthan Vs., Parmanand and another wherein it is held thus:

(a) Narcotic Drugs and Psychotropic Substances Act, 1985 - Section 50 - Provision is mandatory -

but it applies to search of the person of the accused only - does not apply to search of a bag carried by him - However, if the bag carried by him is searched and his person is also searched, Section 50 applies.

"(b) Narcotic Drugs and Psychotropic Substances Act, 1985 - Section 50 - Two accused persons - not informed of their rights individually - Joint notice communicated - one of the accused signing for both - conviction vitiated."

On careful reading of above decisions, facts, circumstances and ratio is applicable to case on hand, as prosecution has not followed mandatory provisions.

21. For the above, in the absence of corroborated evidence the testimony of prosecution witnesses cannot be reliable to prove the guilt of the accused No.3. So many considerable contradictions and discrepancies found in the prosecution witnesses. There is no link of chain found in the circumstantial evidence. Serious doubt arises in the mind of the Court to believe that accused has committed the offence. So accused is entitled for the benefit of doubt. The prosecution has failed to comply the mandatory provisions U/s.42, 50 & 57 of NPDS Act. Hence prosecution has utterly failed to prove the guilt beyond reasonable doubt. Accordingly, I answer point No.1 in the 'Negative'.

22. Point No.2: In the result, following:

ORDER Acting under Section 235(1) of Cr.P.C. accused No.3 is acquitted for the offence punishable under Section 22 of N.D.P.S. Act.

CCH-33 27 Spl.C.C.204/09 Bail bond of the accused No.3 shall stands cancelled.

Accused No.3 is released U/Sec.437(A) of Cr.P.C., on execution of bond for Rs.50,000/- with a surety for likesum, for the purpose of his appearance before Appellate Court, in the event of filing of any appeal by the State.

The entire records and property shall be kept in Spl.C.C.181/2013 for trial of accused No.2.

[Dictated to the Stenographer, transcribed and computerised by her, corrected, signed and then pronounced by me in Open Court on this the 16th day of March, 2016] (D.Y. BASAPUR) XXXIII ACC & SJ & SPL.JUDGE (NDPS) BANGALORE.

ANNEXURE

1. List of witnesses examined for the:

(a) Prosecution:

P.W.1 : R Lakshman

P.W.2 : P R Jayaram
P.W.3 : Ajjanna
P.W.4 : Suman
P.W.5 : Thimmappa
P.W.6 : Babiulla
P.W.7 : C W Poovaiah
P.W.8 : Tanveer Ahmed
P.W.9 : Sayed Agsar Imam

(b) Defence :

NIL

2. List of documents exhibited for the:

(a) Prosecution:

Ex.P.1 : Notice to panch
Ex.P.2 : Notice to panch
Ex.P.3 : Requisition letter (a)(b) sig.
Ex.P.4 : Requisition of A1 (a)(b) sig.

Ex.P.5 : Requisition of A2 (a)(b) sig.
Ex.P.6 : Requisition of A3 (a)(b) sig.
Ex.P.7 : Voluntary statement of A1 (a)(b) sig.
Ex.P.8 : Passport of A2
Ex.P.9 : Chit enclosed with P8
Ex.P.10 : Visa
Ex.P.11 : Chit enclosed with P10
Ex.P.12 : Voluntary statement (a)(b) sig.
Ex.P.13 : Voluntary statement (a)(b) sig.
Ex.P.14 : Panchanama (a)(b) sig.
Ex.P.15 : Passport (a) chit
Ex.P.16 : Mahazar (a) sig.
Ex.P.17 : Panchanama (a) sig.
Ex.P.18 : Sample seal (a) sig.
Ex.P.19 : Complaint (a) sig.
Ex.p20 a-d : Photos

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Ex.P.21 : F.S.L (a) sig.
Ex.P.22 : Specimen seal
Ex.P.23 : Letter
Ex.P.24 : Report
Ex.P.25 : Statement of P.W.4
Ex.P.26 : Passport
Ex.P.27 : Report (a) sig.
Ex.P.28 : Passport
Ex.P.29 : Report
Ex.P.30 : Acknowledgement
Ex.P.31 : Acknowledgement
Ex.P.32 : Acknowledgement
Ex.P.33 : Commissioner order

Ex.P.34 : Statement of A1 (a) (b) sig.

Ex.P.35 : Panchanama (a) (b) (c) sig.

Ex.P.36 : Rental agreement (a) sig.

Ex.P.37 : Note book Ex.P.38 : Book Ex.P.39 : Two sheets (a) sig.

Ex.P.40 : Handwriting of A1 - 12 sheets (a)-(c) sig Ex.P.41 : Handwriting of A2 - 6 Sheets Ex.P.42 : Copy of rental agreement (a) sig. Ex.P.43 : Copy of rental agreement Ex.P.44 : Memo (a) (b) sig.

Ex.P.45 : Statement of Canara Bank (a) sig. Ex.P.46 : Request letter Ex.P.47 : Reply of ICICI Bank Ex.P.48 : F.S.L report (a) sig.

Ex.P.49 : Sample seal Ex.P.50 : Report (a) (b) sig.

Ex.P.51 : Permission letter (a) sig.

Ex.P.52 : Letter of RTO Ex.P.53 : Report of ACP (a) sig. (b) endorsement Ex.P.54 : F.S.L report
Ex.P.55 : Sample seal Ex.P.56 : Statement of Puttanarasaiah Ex.P.57 : F.I.R Ex.P58-60 : PF

(b) Defence:

Ex.D1 : SHD extract

3.List of Material Objects admitted in evidence:

M.O.1	:	Sample
M.O.2	:	Bulk
M.O.3	:	Cash of Rs.2,40,000/-
M.O.4	:	Mobile
M.O.5	:	Weighing balance
M.O.6	:	Empty plastic covers
M.O.7	:	Sample
M.O.8	:	Bulk
M.O.9	:	cash of Rs.23,500/-
M.O.10	:	Mobile
M.O.11	:	Plastic covers empty
M.O.12	:	Sample
M.O.13	:	Bulk
M.O.14	:	Empty plastic covers
M.O.15	:	Cash of Rs.1,50,000/-
M.O.16	:	Cash of Rs.1,54,000/-
M.O.17	:	Cash of Rs.18,000/-
M.O.18	:	Mobile
M.O.19	:	Mobile
M.O.20	:	Sample
M.O.21	:	Bulk
M.O.22	:	empty plastic covers
M.O.23	:	Sample
M.O.24	:	Bulk
M.O.25	:	Empty plastic cover
M.O.26	:	Hashish sample
M.O.27	:	Bulk
M.O.28	:	Empty plastic cover
M.O.29	:	Mud pipes

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M.O.30 : DL, ID, Bank case & ATM card M.O.31 : Revolver (D.Y. BASAPUR) XXXIII ACC & SJ & SPL.JUDGE (NDPS) BANGALORE.

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