

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 411 OF 2005

N.V. SASHIDHARA

..... APPELLANT

VERSUS

STATE OF KARNATAKA

..... RESPONDENT

O R D E R

The High Court has found the following
circumstances against the appellant:

"The case of the prosecution fully rests on the circumstantial evidence. Looking to the material on record, the following circumstances emerge against the accused.

a) The accused was not affluent and his financial condition was very bad at the time of incident.

b) The accused was in possession of the three pairs of bullocks and sold them to P.Ws. 6, 7 and 8 which were entrusted to deceased by P.Ws. 9, 12 and 13 for transportation; and that those bullocks were not belonging to accused.

c) Handwriting experts opinion relating to the signatures and handwriting of the accused found on the sale chits Ex. P7, P10 & P12 executed by the accused in favour of P.Ws. 6,7 & 8 respectively.

d) Non-explanation of the accused as to how he came into possession of the bullocks, which were sold by him to P.Ws. 6, 7 and 8.

e) Abscondance of the accused till 19.07.1992 i.e. for about six months from the date of incident.

f) Recovery of the club (M.O.8) the

weapon used in the commission of the offence on the basis of voluntary statement of accused."

We put up to the learned counsel as to why the sale chits Exhibits P7, P10 and P12 had been executed by the appellant in favour of P.Ws. 6, 7 and 8 who had also identified the bullocks they are said to have purchased. The learned counsel could give no satisfactory answer. We also find that the findings have been affirmed by both the courts below. No interference is, therefore, called for in this appeal which is, accordingly, dismissed.

The fee of the learned Amicus is fixed at Rs. 7000/-.

.....J
[HARJIT SINGH BEDI]

.....J
[C.K. PRASAD]

NEW DELHI
JULY 28, 2010.