

**IN THE COURT OF THE J.M.F.C, AT: BYADGI
CC.No.92/2021**

Complainant: Smt.Fareeda Rajaksab Naddimulla
Age: 39 years, Occ: Business,
Bettada Malleshwara Nagar, Byadgi,
Tq: Byadgi, Dist: Haveri.

V/S

Accused: Sri.Irayya S/o Channabasayya Hiremath
R/o: Junior Assistant HESCOM, Shiggaon,
Tq: Shiggaon, Dist: Haveri.

STATEMENT OF ACCUSED U/S 313 Cr.P.C

Q.No.1) Have you heard the evidence of complainant witnesses?

Ans:

Q.No.2) PW.1 has deposed in his evidence that, he is the complainant and he has filed complaint against accused. What do you say?

Ans:

Q.No.3) PW.1 further deposed that, to discharge liability, you accused issued cheque bearing **No.488941 of HDFC Bank, Mandipet, Davanagere, for Rs.3,25,000/- dtd: 28.12.2020** and he has presented the said cheque in **Bank of Baroda, Byadgi Branch for "encashment"**. What do you say?

Ans:

Q.No.4) PW.1 further deposed that, the banker has issued **endorsement** stating that "Account Closed" in the account of you accused. He has issued **legal notice through his advocate to you accused on 29.01.2021**. What do you say?

Ans:

Q.No.5) PW.1 further deposed that, **the said notice was served.** He has filed endorsement copy of legal notice, and Postal Acknowledgment receipt before this court. What do you say?

Ans:

Q.No.6) PW.1 further deposed that, you accused intentionally not kept amount in your account and inspite of service of legal notice. You accused has failed to pay the said amount and committed the offence punishable U/Sec.138 of N.I.Act. What do you say?

Ans:

Q.no.7) PW.1 further deposed that, you accused have issued the said cheque towards legally enforceable debt and liability and the same is tilling subsisting. What do you say?

Ans:

Q.No.8) Have you anything else to say?

Ans:

Q.No.9) Have you any defense evidence to lead?

Ans:

(Certified that the statement of accused has been recorded in my presence and personal hearing and that it contains a true and correct account made by said accused).

Date: 06.03.2024

JMFC, Byadgi.

