

IN THE COURT OF THE CIVILJUDGE & JMFC.,  
AT: KUSHALNAGAR  
CC NO:60/2020

K.N Ashoka

Complainant

Vs

S.J Jalajakshi

Accused

**Substance of accusation**

That complainant is the president of the car owner and drivers Multipurpose society Ltd and having it s office at kushalnagar town and one Mr.Akshay was working as a clerk and he ahs committed misappropriation of funds of the society in collusion with the Manager Mr. Rohit and on February 2019 Akshay approached the complaint and he has agreed to repay the said amount and S.J Jalajakshi as a surety and guarantor and you had issued cheque bearing No. **315390** dated **10.05.2019** for Rs. **11,00,000/-** drawn on **State Bank of Mysore(India), Madikeri Branch** and when the said cheque was presented for encashment by complainant through it's Banker, namely **Karnataka Bank, Kushalnagar Branch** got dishonoured due to "Funds Insufficient" and thereafter inspite of issue of demand notice you did not pay back the amount due under the said cheque and thereby committed an offence U/s 138 of N.I. Act and within my cognizance.

Q: Have you understood the plea read over to you and explained?

A: *Understand*

Q: Do you want to plead guilty or claims to be tried?

A: *Not guilty*

Certified that the above accusation is read over to the accused, his reply is recorded in the open court on this the 15<sup>th</sup> day of September 2022.

*[Signature]*

*[Signature]* 15/09/22  
Civil Judge & JMFC.,  
Kushalnagar.

## IN THE COURT OF THE CIVIL JUDGE &amp; JMFC, KUSHALNAGAR

C.C. 60/2020

Accused :

S.J Jalajakshi

## STATEMENT OF ACCUSED U/S 313 OF CR.P.C.

Q: Have you heard the evidence of witnesses?

A: - Yes -

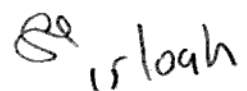
Q: PW 1- K.N Ashoka has deposed that you are known to him and he has states that complainant is the president of the car owner and drivers Multipurpose society Ltd and having it s office at kushalnagar town and one Mr.Akshay was working as a clerk and he ahs committed misappropriation of funds of the society in collusion with the Manager Mr. Rohit and on February 2019 Akshay approached the complaint and he has agreed to repay the said amount and S.J Jalajakshi as a surety and guarantor . What do you say?

A - False -

Q The P.W.1 further states that you to make discharge the loan borrowed by you, had issued a cheque bearing No.315390 dated 10.05.2019 for Rs.11,00,000/- drawn on State Bank of Mysore, Madikeri Branch. What do you say?

A - False

Q: The P.W.1 has further states that when he presented the said cheque to his banker namely Karnataka bank, Kushalangan Branch, account on 19.07.2019 he received an endorsement stating that the funds in his

 15/09/20

bank account are " Funds ~~insufficient~~ " and hence the cheque was bounced. What do you say?

A: - False -

Q: The P.W.1 further states that he ~~got issued~~ a legal notice to you accused on 25.07.2019 which was served on 25.07.2019. What do you say?

A: - False -

Q: The P.W.1 further states that the legal notice dated 25.07.2019 which was served on 26.07.2019 and ~~despite receipt~~ of legal notice demanding you to make payment of the amount mentioned in the Ex.P.1 cheque, you have failed to repaid the said amount. What do you say?

A: - False -

Q: Have you got anything else to say?

A: - NO -

Q: Have you got and defence to make?

A: - yes -

(Certified that the above accusation is read over to the accused, his reply is recorded in the open Court on this 15.09.2022)

*Jale*

89/15/047  
Civil Judge & JMFC,  
Kushalnagar.