

IN THE COURT OF THE II-ADDL. CIVIL JUDGE & J.M.F.C. AT MALUR

Dated this 28th Day of August- 2026

CC : 1920/2025

Complainant : Sri. Mallikarjunaiah S, 31 years,
S/o. Somashekaraiah,
R/at: Thirumalakoppa Village,
Vokkaleri Hobli,
Kolar Taluk & District.

-- V/s --

Accused : Sri. Manjappa R, 29 years,
S/o. Ramadasappa,
R/at Ramenahalli Village,
Shivarapatna Kasaba,
Malur Taluk, Kolar District.

A C C U S A T I O N

I, NITHIN CUVELLO., B.Com., L.L.B., II-Addl. Civil Judge & JMFC, Malur, do hereby plea you the above Accused as follows :-

It is alleged against you that, you the Accused well known to the Complainant, had availed loan of **Rs.2,00,000/-** from the Complainant for your family legal necessities and in order to repay the said loan, you have issued a post dated cheque bearing **No.485911** dated 18.02.2025 of **Rs.2,00,000/-** for the said amount drawn on State Bank of India, Malur Branch. When the Complainant presented the said Cheque through his banker i.e. HDFC Bank Limited, Malur Branch, Malur, the said cheque returned unpaid with an endorsement **"FUNDS INSUFFICIENT"**. Therefore, the Complainant issued legal notice dated 22.02.2025 through RPAD to you calling upon to repay the loan. You Accused rejected the said legal notice and that notice came back with Shara as refused and thereby you committed an offence punishable under Section 138 of the Negotiable Instruments Act.

1) Have you understood the plea read over to you ?

Ans :

2) Do you plead guilty or have got any defence to make?

Ans :

Additional preliminary enquiry as per guidelines Issue by Hon'ble Apex Court in; (2025 SCC OnLine SC 2069) Sanjabij Tar Vs. Kishore S. Borcar and Another.

1) Do you admit that the cheque belongs to your account?

Ans:

2) Do you admit that the signature on the cheque is yours?

Ans:

3) Did you issue the cheque to the Complainant?

Ans:

4) Was there an existing liability at the time of issuance?

Ans:

5) What is your defence?

Ans:

6) Do you wish to compound the case at this stage?

Ans:

(Certified that the above statement is recorded in my presence before Court and in my presence hearing and with the record contains full and true account of statement given by the Accused).

Date: 28 .07.2026

Place: Malur

Sd/-

(NITHIN CUVELLO)

II-Addl.Civil Judge & JMFC,

Malur.