

PCR 85/2026

Case called out. Complainant present and filed his affidavit. He is examined as PW1. Ex.P.1 to P.5 are marked. Heard arguments. For orders.

Prl. Senior Civil Judge & JMFC,  
Krishnarajpet

Complainant present. His sworn statement is recorded. In lieu of his sworn statement he has filed his affidavit. Ex.P.1 to P.5 are marked. Heard Ln counsel for complainant. Perused records.

The present complainant has filed a complaint U/sec. 200 of Cr.P.C. against the accused for the offence punishable U/sec. 138 of N.I. Act. Sworn statement of complainant is recorded. The complainant has also produced cheques and other relevant documents to demonstrate that the accused has committed an offence punishable u/sec.138 of N.I.Act. Perused sworn statement, which corroborates the averments of complaint. It is also shown that the complainant has complied all mandatory provisions of Sec. 138 of N.I. Act. The cheque is dated 19.05.2026 The same was dishonoured on 28.05.2026 Returned as **Funds insufficeint.** The legal notice is dated 17.06.2026 The legal notice was refused on 18.06.2026. The complaint came to be filed on 17.07.2026 Hence, the complainant filed is within time. Thus on perusal of the materials placed on record, at this juncture, this court is satisfied that there are *prima facie* materials to proceed against the accused for offence punishable under section 138 of N.I Act. Accordingly, this court proceeds to pass following:

**ORDER**

Office is directed to register Criminal Case against the accused for the offence punishable u/sec. 138 of N.I. Act in Register No. III.

Further in view of the decision of Hon'ble Supreme Court in ***Indian Banks Association & Ors. Vs. Union of India & Anor.*** reported in **(2014) 5 SCC 590** case, the sworn statement of the complainant shall be treated as his examination-in-chief.

Issue process against the accused through Speed Post.

Office to keep original cheque in safe custody till further orders. For appearance of accused by 28.11.2026.

**Prl. Senior Civil Judge & JMFC,  
Krishnarajpet**