

KAMS300006302025



**IN THE COURT OF THE PRINCIPAL SENIOR CIVIL
JUDGE AND J.M.F.C AT HUNSUR**

Present: Smt.Anitha, B.A. (Law) L.L.B.,
Prl.Senior Civil Judge & JMFC.,
Hunsur.

Dated this the 13th day of May, 2026

PCR No.95/2025

Complainant: Shobha D.S., W/o Mahesh P.S.,
Aged about 45 years,
R/at Chittekyathanahalli village,
Harave Post, Gavadagere Hobli,
Hunsur Taluk, Mysuru District.

-V/s-

Accused: Manjunath.C.S., S/o Sannaiah,
Aged about 45 years,
R/at Chittekyathanahalli village,
Harave Post, Gavadagere Hobli,
Hunsur Taluk, Mysuru District.

Working address
Manjunath C.S., S/o Sannaiah,
School vehicle Driver, Talent
Public School, Hunsur Town,
Hunsur.

ORDER

The complainant presented the complaint under Section 223 of BNSS against the accused for the offence punishable under Section 138 of Negotiable Instruments Act.

On 07.05.2026 the complainant present and filed her sworn statement affidavit and got marked totally seven documents as per Ex.P1, Ex.P1(a), Ex.P2 to Ex.P7, P7(a).

Heard learned counsel for the complainant and

perused the entire case papers. The cheque in question is dated 30.12.2024 and it was dishonored on 31.12.2024. As per procedure the complainant issued legal notice which is dated 21.01.2025. The complainant also produced the postal acknowledgment which shows that the notice to the working place of the accused served and the notice issued to his residential address has been returned for the reason addressee left without instruction and it is deemed service of notice. The complainant presented the complaint on 12.03.2025. There was delay in presenting the complaint which came to be condoned as per the order dated 17.03.2026.

On the basis of prima-facie materials the court took cognizance for the offence punishable under Section 138 of Negotiable Instruments Act. As per the guidelines issued by Hon'ble Apex Court in the decision between: **Indian Bank Association and others V/s Union of India and others** reported in **(2014) 5 SCC 590** this court proceeds to pass the following:

ORDER

Register Criminal Case as CC in
Register No.III against the accused for the
offence punishable under Section 138 of
N.I.Act.

Issue summons to the accused if PF
paid returnable by 29.07.2026.

Sd/-

(Anitha)

Prl.Senior Civil Judge and JMFC,
Hunsur.