

Case put up at request of accused counsel. Accused present.

Sri. SHL, advocate files vakalath for accused along with bail application U/s 478 of BNSS, and prays for release the accused on bail.

Perused record it is noticed that, the complainant has filed complaint alleged that, the accused has committed Offence Punishable U/s 138 NI Act.

The offence punishable under Section 138 of NI Act is bailable in nature. Accordingly, accused is released on bail subject to the condition that, he shall execute personal bond of Rs.10,000/-.

Surety by name Smt. Devamma W/o Basavaraju, Aged about 47 years, R/at 2463/2, 2nd Cross, Kailaspuram, Mandimohalla, Mysuru Taluk and District is present.

She has sworn his affidavit, and produced RTC in respect of his land bearing Sy.No.15/12 to an extent 0.02.00 guntas situated at Kattemalawadi Village, Gavadagere Hobli, Hunsur Taluk, Mysuru District and xerox copy of Aadhar Card.

Substance of accusation stated to the accused and he asked whether he pleads guilty or has any defence to

make. He has pleads not guilty and submits he has defense to make.

The sworn statement of the complainant filed by him during per-summoning stage is considered as the evidence of the complainant as per the decision of the Hon'ble Supreme Court rendered in the case of **Indian Bank Association and others versus Union of India and others** (2014) 5 SCC 590 and also as per the observations made by our Hon'ble High Court in the case of M/s. Mesh Trans Gears Private Limited versus Dr. R.Parvathreddy ILR 2014 KAR 5237. Though, there is no stage and necessity to mark the documents. The cheque bearing No.170242 dated 14.02.2025 for Rs.48,000/- drawn on Indian Overseas Bank, K.R.Nagar branch is marked as Ex.P-1, Bank endorsement is marked as Ex.P-2, Legal notice is marked as Ex.P-3, One postal receipt is marked as Ex.P-4, One postal acknowledgment is marked as Ex.P-5 and Bank account statement is marked as Ex.P-6 for the purpose of identification.

Office is directed to take Bond from accused as well as surety.

In view of granting bail, NBW issued against accused is recalled.

Accused has not filed application Under Section 145(2) of N.I.Act seeking permission for cross examination of PW-1. Hence, case posted for defense evidence.

For defense evidence.

Call on: 26.02.2026.

Sr. Civil Judge and JMFC.,
K.R.Nagar.