

Accused by Name Sri. Kiran K.S S/o Suresh, Aged about 35 years, R/at. Dasegowdana Koppalu Village, Periyapatna Taluk is produced before the Court through PC No.421 of K.R.Nagar, P.S. under nonailable warrant at about 01.35 P.M.

On enquiry the accused submits he has arrested at 10.00 A.M today, near bus stand, K.R.Nagar. Further, he submits that, the police have not given any illegal treatment during his custody.

**Sri APP.**, Advocate seeking permission to obtain signature from the accused on the vakalath. According Permission is granted.

**Sri APP.**, Advocate files vakalath for accused along with bail application U/s 436 of Cr.PC prays for release the accused on bail.

Perused private complaint it appears that, the complainant has filed this complaint alleging that, the accused committed an offence punishable Us 138 of NI Act.

The offence punishable under Section 138 of NI Act isailable in nature. Accordingly, accused is released on bail subject to the

condition that, he shall execute personal bond of Rs.10,000/- with one surety for the like sum and shall appear before this court on all hearing dates.

The accused files application U/s 445 of Cr.PC and seeking permission to deposit the cash surety for enlarging bail. Hence, the accused permitted to deposit sum of **Rs.5,000/-** as cash surety.

**Office is directed to take Bond from accused.**

**In view of granting bail, NBW issued against the accused is hereby recalled and subject to payment on penalty of Rs.1,000/-.**

Substance of accusation stated to the accused and he asked whether he pleads guilty or has any defence to make. However, the accused 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.352315 date 21.05.2018 for Rs.1,50,000/- drawn on State Bank of India, Periyapatna branch is marked as Ex.P-1, sign of accused as Ex.P-1(a), 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 for the purpose of identification and also to enable the accused to know about the documents relied by the complaint.

Statement of the accused is recorded U/s 313 of Cr.P.C. Accused has chosen to lead his evidence.

Accused has not filed U/Sec.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 25.07.2025.

Sr. CJ and JMFC.,  
K.R.Nagar.