

**Orders on application filed by the accused  
under Section 311 of Cr.P.C.**

When the matter was in the stage of argument, on 04.04.2025, the accused has filed application under Section 311 of Cr.P.C. to lead his defence evidence. Learned counsel for complainant orally objected to the said application.

2. The learned counsel for accused submits that when the case was posted for defence evidence, the accused remained absent. Hence, this court taken defence evidence is nil and posted the case for argument. But to prove his innocence it is necessary to lead the evidence of accused. Hence if the application is not allowed hardship caused to the accused, hence prays to allow the application.

3. Admittedly the complainant bank filed this case against the accused for the offence punishable U/s. 138 of N.I. Act. Now the present case is posted for arguments. Now the accused filed this application to reopen the case and to permit the accused to lead defence evidence. Hence if an opportunity is not given to the accused to lead his defence, no hardship will be caused

to the complainant if the application is not allowed hardship will cause to the accused. Accordingly, this Court proceed to pass the following:

**ORDER**

Application filed by the accused Under Section 311 of Cr.P.C. is hereby allowed on cost of Rs.200/-.

Accused is permitted to lead his defence evidence without seeking any adjournments.

Call on:16-10-2025

Senior Civil Judge &  
Prl. JMFC., Kumta.