

IN THE COURT OF THE II ADDL. CIVIL JUDGE AND J.M.F.C.,
KUNDAPURA.

C.C.No. 104/2023

Mr. Nikhil Anthony, 36 years
S/o Sibi Joseph @ K J Anthony
R/o Karebailu Estate
Siddapura Village
Kundapura Taluk, Udupi District Complainant

-Vs-

Ananda Poojary, Major
S/o. Rama Poojary
R/o Kadige Kodlu
Hengavalli Village
Kundapura Taluk
Udupi District Accused

**I Smt. Rohini D. II Addl. Civil Judge & J.M.F.C. Kundapura
hereby charge you the accused above named as follows:**

ACCUSATION

That the accused is well aware of the fact that accused have purchased certain immovable properties from complainant and his other family members on 04-06-2022 vide sale deed registered as Document No. 718/2022-23 of SRO Shankaranarayana, for a total sale consideration of Rs., 26,07,000/- though the sale deed was registered for Rs. 16,07,000/- as per your request. In fact the market value of the said properties is more then Rs. 26,07,000/- and stamp duty was also paid on Rs. 21,06,000/- being the then government valuation. That as accused were in short of Rs. 7,00,000/- on the said date of registration of the sale deed, accused has promised to pay the said amount with in two days and also requested complainant to register the said sale deed on the said date. That accused has failed to pay the balance sale consideration of Rs. 7,00,000/- as promised by

the accused, finally accused has also induced complainant to receive a cheque for the said amount of Rs. 7,00,000/- and accused has issued a cheque drawn on SCDCC Bank, Shankaranarayana Branch, cheque bearing No. 000201 dated 31-10-2022 for Rs.7,00,000/- in favour of complainant. The complainant presented the said cheque for encasement through Canara Bank, Siddapura Branch, it was returned to the banker of accused on 01-11-2022 with an endorsement “**Funds Insufficient**”. The complainant issued notice dated 22-11-2022 and the notice was returned as not claimed on 27-11-2022, you have neither replied nor paid any portion of the dues to the complainant. You knowing fully well that your account was not having money to honor the said cheque and issued the same and thereby committed an offence punishable under section 138 of Negotiable Instruments Act.

Q. 1: Did you understand the substance of accusation read over to you?

Ans:

Q. 2: Do you plead guilty or have any defense to make?

Ans:

(Certified that the above plea is read over and explained to the accused in the language known to him in Kannada and the contents of the above plea are true and correct)

Date: 07-03-2025

II Addl. Civil Judge and J.M.F.C.,
Kundapura.