

IN THE COURT OF THE II ADDL. CIVIL JUDGE AND J.M.F.C.,
KUNDAPURA
C.C.No. 702/2024

Mr. K Abdul Majeed, 65 years
S/o K Ummer Saheb,
R/o Asma Manzil
J.M Road, Kandloor
Kavradi Village
Kundapura Taluk

.... Complainant

-Vs-

Mr. M.P Moidinabba, 65 years
Ayathul Islam Madrasa,
Opp: Jumma Masjid
Padu Inna Post
Karkala Taluk
Udupi District

... Accused

STATEMENT OF THE ACCUSED U/SEC.313 OF CR.P.C.

Q.No.1) Have you heard the evidence and statements of complainant?

Ans:

Q.No.2) P.W.1 – Mr. K Abdul Majeed has deposed that, That you has issued a cheque bearing No. 752608 dated 12-01-2023 for Rs. 2,50,000/- drawn on State Bank of India, Padubidri Branch of Bangalore in favour of PW1. Do you wish to say anything?

Ans:

Q.No.3) In further P.W.1 has deposed that, You promised to keep sufficient balance to the said cheque, when presented for encasement by PW1 through Bank of Baroda, Kandloor Branch, the cheque was returned with an endorsement stating “Funds insufficient” in your bank account, vide memo of your Banker, dated 14-03-2023. You have purposefully issued the said cheque with an intention to defraud the PW1. Do you wish to say anything?

Ans:

Q.No.4) In further P.W.1 has deposed that PW1 has issued a legal notice to you through counsel of PW1 on 21-03-2023 by RPAD, which you were

called upon to make the payment of the cheque amount within the 15 days from the service of notice. The legal notice was served you on 27-03-2023. That you have neither replied nor paid any amount. By the said notice you were called upon to pay the amount covered by the said cheque. Do you wish to say anything?

Ans:

Q.No.5) In further P.W.1 has deposed that, PW1 had issued the said cheque to PW1 knowing fully well that there is no balance amount in your bank account to meet the cheque and you with an intention to cheat PW1 and play fraud on PW1. Thus you have committed an offence within the meaning of Section 138 of N.I. act. You are liable to be punished for the act. Do you wish to say anything?

Ans:

Q.No.6): Do you have any defence evidence?

Ans:

Q.No.7): Do you wish to say anything?

Ans:

(Certified that the above statement is read over to the accused in Kannada a language known to him and recorded his answers in the open Court)

Date: 21-10-2024

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