

**IN THE COURT OF JUDICIAL MAGISTRATE OF FIRST CLASS-II,
KOYILANDY.**

Present: Miss. Raveena Naz
Judicial First Class Magistrate-II, Koyilandy.

Tuesday, the 30th day of December, 2025

CMP No. 74/2025 in ST 12/2025

Petitioner/Complainant : Moosakutty, S/o. Abdurahiman, 71 Years,
“Darussalam”, Parakkattil (H), Arikkulam, Naderi
(PO), Koyilandy Taluk, Kozhikode - 673 620.
(Koyilandy Police Station Limit).
(By Adv. G. Praveen Kumar)

Respondent/Accused : Abdul Kasim, S/o. Mammed, 64 Years, Maakkaal
(H), Puthur (PO), Modoor, Omassery, Koduvally,
Thamarassery Taluk, Kozhikode – 673 582.
(Koduvally Police Station Limit).
(By Adv. K.M. Thomas)

Offence : U/s.138 of The Negotiable Instruments Act, 1881.

ORDER

The Petition was filed under Section 143A of the Negotiable Instrument Act. The Petitioner is the Complainant in the case. The Petitioner contends that the Respondent issued cheques to the Petitioner which was dishonoured on presentation. The Petitioner apprehends that the Accused will prolong the matter. The Petitioner seeks for interim compensation of 20% on the cheque amounts. The Respondent filed Objection contending that there is no legally enforceable debt as alleged in the Complaint and the case of Petitioner is false. It is also contended by the Respondent that he is residing in a rented space and his properties were auctioned.

2. Heard both sides.

3. Petitioner herein is the Complainant in the complaint and the Respondent is the Accused. Petitioner seeks for interim compensation under Section 143A of the Negotiable Instrument Act. The provision was introduced in the Negotiable Instrument Act by amendment in 2018 so as to give prompt financial relief to Complainants. The Respondent herein has appeared before the Court and pleaded not guilty. The cheques were issued in 2023, ie., after the above mentioned amendment. The Respondent is directed to deposit the interim compensation of 20% of the cheque amounts, ie., Rs. 50,000/- (Rupees Fifty Thousand only) and in Rs. 80,000/- (Rupees Eighty Thousand only) within a period of 60 days from the date of this Order. In case the Accused is not found guilty, Accused is entitled to refund of the sum with interest. CMP allowed. CMP closed.

(Pronounced by me in the Open Court on this the 30th day of December, 2025)

Sd/-

**Judicial Magistrate of First Class-II,
Koyilandy.**