

**IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE-I,
CHANGANACHERRY**

Present:- Sri.Anil Kumar. T.S, Judicial I Class Magistrate.

Dated this the, 21st day of March, 2026
30th day of Phalguna, 1947

ST No.3122/2019

Complainant : Sajith Roy, S/o T K Suseelan,
Thadathil Guru Nandanam (H),
Near Anandasramam, Changanacherry.

(Rep.by Adv.Krishna Das)

Accused : Venugopal, S/o Viswanathanachari, Sreeviswam
(Mani Bhavan) (H), Vazhappally P.O,
Changanacherry.

(Rep.by Adv.Deepak Thomas)

Offence : U/s.138 of Negotiable Instruments Act.

Plea : Guilty

Finding : Guilty under plea bargaining

Sentence or Order : Accused is found guilty of the of the offence punishable under section 138 of the NI Act and he is sentenced to pay fine of Rs.90,000/- which is to be paid on or before 21.05.2026. The fine amount shall be paid as compensation to the complainant under section 357(1) of Cr.P.C.

Description of Accused

Sl. No.	Name	Age	Father's Name	Occupation	Residence	
1	Venugopal	---	Viswanathanachari	---	Sreeviswam (Mani Bhavan)	
Date of						
Occurrence	Report or Complaint	Apprehension or appearance	Release on bail	Commencement of trial	Close of trial	Sentence or Order
12.07.19	02.08.19	12.02.24	12.02.24	12.02.24	16.03.26	21.03.26

This case having been finally heard on 16.03.2026 and posted for judgment to 21.03.2026 and the court on the same day delivered the following: -

J U D G M E N T

2. The case of the complainant in brief is as follows:- The accused borrowed Rs.1,00,000/- from the complainant and in discharge of the said liability, he executed a cheque dated 30.04.2019 drawn on the account maintained by his with Vijaya Bank, Changanacherry Branch. When the complainant presented the said cheque for encashment, it was dishonoured for the reason 'Funds Insufficient' and the cheque was returned. The complainant issued a lawyer's notice to the accused on 18.06.2019. The said notice was received by the accused on 26.06.2019. The accused has not repaid the amount

covered by the cheque and thereby committed the offence punishable under section 138 of the NI Act.

3. On appearance, the accused was served with all relevant records relied on by the complainant. The accused was enlarged on bail. Particulars of offence u/s.138 of N.I Act was read over and explained to the accused to which he pleaded not guilty and claimed to be tried.

4. When the case was posted for evidence, the accused filed application for plea bargaining. The accused was examined in camera to see that he is presenting the application voluntarily, that he understands the nature of sentence and that he has no history of conviction. On perusal of his statement and affidavit, the court is satisfied that he has submitted the application voluntarily and that he is eligible for plea bargaining. Therefore, a meeting of the complainant and the accused and their respective counsels was held to work out a mutually satisfactory disposition of the case. The court ensured that the disposition is worked out voluntarily. A mutually satisfactory disposition is worked out as follows:

The accused is ready to pay Rs.90,000/- to the complainant, which will be paid with in a period of two months. Thereafter, the court has drawn its own report and all the parties participated in the meeting approved and put their signatures in it.

5. On the basis of the mutually satisfactory disposition worked out I find that the accused can be sentenced to pay fine of Rs.90,000/- which is to be paid within two months from the date of this order. The amount shall be fully and finally settled on or before 21.05.2026.

In the result, the accused is found guilty of the of the offence punishable under section 138 of the NI Act and is sentenced to pay fine of Rs.90,000/- which is to be paid on or before 21.05.2026. The fine amount shall be paid as compensation to the complainant under section 357(1) of Cr.P.C.

In case of default of the fine amount, the accused shall undergo simple imprisonment for a period of 3 months.

(Dictated to the Confidential Assistant, typed by her, corrected and pronounced by me in open court, this the 21st day of March, 2026)

Judicial First Class Magistrate – I
Changanacherry

APPENDIX

1. Plea bargaining petition filed by accused.
2. Mutually satisfactory disposition made u/s.265-C Cr.P.C.
3. Report U/s.265-D Cr.P.C
4. Statement of accused

Judicial First Class Magistrate -1
Changanacherry