

IN THE COURT OF THE JUDICIAL MAGISTRATE OF FIRST CLASS,
PATTAMBI

Present:-Smt. Neema Noor Mohamed, Judicial Magistrate of First Class.
Thursday, this the 26th day of March, 2026/ 5th day of Chaithra, 1948 S.E.

Calendar Case No. 137/2023.

Abdul Saleem, S/o. Eantheen, Koorattuthodi House, Perumudiyoar P.O, Pattambi Taluk, Palakkad. (By Adv. Sri. Jamal Alur)		Complainant
Aneesh, S/o. Sasidharan. P.S, Uthradam House, Kochuthuruthiyil Kanninmelcherry, Kavanad P.O, Kollam District. (By Adv. Sri. Rajesh.V)		Accused
Offence	Punishable under Section 138 of the Negotiable Instruments Act.	
Plea	Guilty	
Finding	Guilty	
Sentence or order	The accused is convicted on his plea of guilty under Sec. 241 Cr.P.C for the offence punishable under Section 138 of the Negotiable Instruments Act. The accused is sentenced to undergo simple imprisonment till rising the court and to pay compensation of ₹ 16,500/- to complainant for the offence punishable under Sec. 138 of the Negotiable Instruments Act. In default of the payment of compensation amount, the accused shall undergo simple imprisonment for a period of 1 month.	

DATE OF

Offence	Complaint	Apprehension	Release on Bail	Commence-ment of Trial	Close of Trial	Order	Explanation for delay
07/05/21	23/07/21	25/03/26	25/03/26	Pleading guilty	Pleading guilty	26/03/26	No delay

DESCRIPTION OF ACCUSED

Name	Father's Name	Age	Residence	Taluk
Aneesh	Sasidharan. P.S	51	Kavanad	Kollam

J U D G M E N T

This is a case arising out of a private complaint filed by the complainant against the accused alleging commission of offence punishable under section 138 of the Negotiable Instruments Act.

2. The complainant's case in brief is as follows: the accused is a contractor . In connection with the construction of a wall in front of the Pattambi post office, the complainant had supplied materials such as metal, laterite stones, and cement. After completion of the work, it was found that the accused was liable to pay a total sum of ₹11,500/- to the complainant, including the cost of materials and transportation charges. However, as the accused did not have sufficient cash at hand, he represented to the complainant that he was maintaining an account with SBI, Kollam Cantonment Branch, and assured that he would issue a cheque towards the said amount, which would be honoured upon presentation. Believing this representation, the complainant accepted a cheque bearing No. 941847 dated 08/04/2021 drawn on SBI, Kollam Cantonment Branch, duly signed and issued by the accused. Subsequently, when the complainant presented the cheque for collection, the same was dishonoured and returned on 12/04/2021 by the bank with the endorsement "Funds Insufficient." Thereafter, the complainant caused a lawyer's notice dated 21/04/2021 to be issued to the accused, demanding payment of the cheque amount within the statutory period. The accused received the said notice but neither paid the amount nor sent any reply to the notice. Thus the accused alleged to have committed the offence punishable under section 138 NI Act.

3. The accused surrendered before the court on 25/03/2026 and filed vakalath, The accused was released on self bond to appear on 26/03/2026.

4. Today the accused is appeared before the court. Particulars of offence read over and explained to the accused, to which he pleaded guilty. The implication of conviction and seriousness of offences were elaborated to the accused, despite explaining the consequences to him, the accused remained steadfast in his stand. Therefore I am satisfied that the accused pleaded guilty, voluntarily and without any compulsion and fully knowing about the consequences of pleading guilty. Therefore, the plea of guilt is accepted. The accused is found guilty for the offence punishable under section Sec. 138 NI Act and is convicted thereunder. The accused was heard on question of sentence. He pleaded for leniency in sentence. Therefore I am of the view that the following sentence will meet the ends of justice.

In the result,

The accused is convicted on his plea of guilty under Sec. 241 Cr.P.C for the offence punishable under Section 138 of the Negotiable Instruments Act. The accused is sentenced to undergo simple imprisonment till rising the court and to pay compensation of ₹ 16,500/- to complainant for the offence punishable under Sec. 138 of the Negotiable Instruments Act. In default of the payment of compensation amount, the accused shall undergo simple imprisonment for a period of 1 month.

Pronounced by me in open court, this the 26th day of March, 2026.

Sd/-

Judicial Magistrate of First Class,
Pattambi.

// True Copy//

Judicial Magistrate of First Class,
Pattambi.