**By R.P.A.D**

**9-11-2000**

**TO**

ANTONY ANTONY

S/o Richard S/o Richard

R/at House No 104 R/at Sunshine Residency

Siyal Khan House KandathPalli

Near RaiBeedi worksBunder

J.M.4th cross Road Mangalore 1

Bunder Mangalore 1

**Gentleman:**

As instructed by my client Mr Rama, S/O Narayan Kambali Aged 43 years C/o Ganesh MedicalKankanady Mangalore 575002. I am issuing you this notice for your ready compliance.

My client instructed me that, you owe a sum of 2,50,000/ (Two Lakhs Fifty Thousand Only)-to my client. In discharge of the said liability you have issued the cheque Bearing No967462 dated 15/09/2000 Canara Bank ValanciaBranch drawn in favor of my client for 2, 50,000/ (Two Lakhs Fifty Thousand Only)

M y client further stated that as per the assurance given by you, my client has presented the above said cheque for the encashment before his Banker, but to the utter surprise of my client the said cheque was returned dishonored for the reasons **“Funds Insufficient”** as per cheque return memo dated 18/10/2000by your Bank. Hence this notice.

Therefore as instructed by my client I hereby call upon you to pay my client as sum of Rs 2,50,000/- covered by the above said cheque within 15 days from the date of receipt of this notice

Or else necessary legal proceeding shall be initiated against you both in civil and criminal including Sec. 138 of N.I.Act at your risk as to all or costs and consequences thereof including Rs .1000 being the cost of this notice.

Mangalore Advocate

**IN THE COURT OF THE Vth J.M.F.C .D.K MANGALORE**

P.C .No. /2000

**Between:**

**Mr,RAMA**

S/o. Lokesh

Aged 43 years **Complainant**

C/o Ganesh Medical

Kankanday Mangalore 575002

**AND**

**Mr,ANTONY**

S/o Richard

R/at House No 104

Siyal Khan House

Near RaiBeedi Works Accused

J.M 4th Road

Bunder Mangalore 1

And residing at

R/at Sunshine Residency

KandathPalli

Bunder Mangalore 1

**COMPLAINT UNDER SECTION 200 OF THE CODE OF CRIMINAL PROCEDURE 1973 FOR THE OFFENCE PUNISHABLE UNDER SECTIONS 138 OF N.I.Act.**

The above named Complainant humbly begs to submit as follows:

1. The address of the Complainant and that of the accused shall be as stated above in the cause title.

2. The Complainant submits that the accused and complainant are the friends each other, in this regard the accused requested the complainant to pay sum amount to him for his urgent financial necessity. The complainant had given amount of Rs 2,50,000/-(Rupees Two Lakhs Fifty Thousand to the accused. At the time of obtaining amount the accused promised the Complainant that he would repay the same within a short period of time. In spite of the Complainant’s repeated requests and demands the accused has not repaid the amount. Finally in discharge of the above said liability, the accused has issued cheque Bearing No967462 dated 15/09/2000 Canara Bank Valancia Branch drawn in favor of my client for 2, 50,000/ (Two Lakhs Fifty Thousand Only)in favor of the Complainant.

3. The Complainant has presented the above said cheque before his banker for encashment. But the said cheque has been returned dishonored by the accused bank on the ground of “FUNDS INSUFFICIENT” as intimated to the Complainant as per cheque return memo dated 18/10/2000issued by the accused bank.

4. Thereafter the complainant herein got issued a legal notice dated 09-11-2000 through his Advocate calling upon the accused to pay the amount covered by the above said cheque within 15 days from the date of receipt of this notice to his residential address. The said notice was sent by R.P.A.D. The Said notice wasUnclaimed and intimation served to the accused on 11/11/2000. The accused ought to have made the payment on or before 25/11/2000. But the accused till today not made payment to the complainant.

5. In this way the accused has committed the offence punishable under Section 138 of N.I.Act.

It is, therefore, prayed that this Hon’ble Court be pleased to take cognizance of the offence committed by the accused and proceed against him as per law in the interest of justice.

Mangaluru:

Date: 09/12/ 2000 Advocate for Complainant Complainant

**(PRAKASH.K.S)**

I, the above named complainant do hereby declare that the facts stated above are all true and correct to the best of my knowledge and belief.

Mangaluru:

Date: 0 9/12/2000 Complainant

**LIST OF DOCUMENTS**:

1. Cheque bearing No967462 dated 15/09/2000 for

Rs 2,50,000/- drawn on Canara BankValancia Branch

In favor of the Complainant.

2**.** Cheque return memo.

3**.** Office copy of the Lawyer’s notice.

4. Postal Receipt

5.Return Not claimed registered post two in Number

**LIST OF WITNESSES:**

* 1. The Complainant
  2. The Branch Manager,

Canara Bank Valancia Branch

Mangaluru:

Date09/12/2000 Advocate for Complainant

**(PRAKASH.K.S)**

**IN THE COURT OF THE V TH J.M.F.C .D.K MANGALORE**

P.C. No. /2000

**Between:**

Mr, **RAMA** Complainant

AND

Mr, **ANTONY**… Accused

**MEMO FILED BY COMPLAINANT**

It is respectfully submits as follows:-

That the complainant filed above complaint against the accused for the offence committed under Section 138 of N. I. Act.

That the complainant produced the original cheque and the amount covered under the cheque is Rs. 2, 50,000/- (RupeesTwo Lakhs Fifty Thousand ) only. Hence the office may be directed to keep the original cheque in safe custody. The Xerox copy of the cheque is produced herewith.

Mangalore Advocate for Complainant

Date: 09- 12-2000 (Prakash. K. S.)

**IN THE COURT OF THE V TH J.M.F.C .D.K MANGALORE**

P.C. No. /2000

**Between:**

Mr, **RAMA** Complainant

AND

Mr, **ANTONY** … Accused

**AFFIDAVIT**

**I ,RAMA** S/o. Lokesh Aged 43 years

C/o Ganesh Medical Kankanday Mangalore 575002 do here by solemnly affirm and state as follows :.

I have filed this complaint against the accused for the offence punishable under section 138 of N.I.Act

I say that I have not filed any complainant or proceedings in respect of the transaction in the said complainant.

**All this is true**

Identified By Me

Deponent

Advocate

Solemnly affirmed and signed in my presence the contents of this Affidavit having been read over to the deponent in Kannada language and admitted by him to be true and correct on this9thday December 2000 at Mangalore.

**IN THE COURT OF THE V TH J.M.F.C .D.K MANGALORE**

P.C.No 1064./2000

**Between:**

Mr, **Rama**Complainant

AND

Mr, **Antony**… Accused

**SOWRN STATEMENT OF THE COMPLAINANT BY WAY OF AFFIDAVIT**

Name : Mr.Rama

Age : 43years,

Occupation : Bussinuns

Residence : C/o Ganesh Medical Kankanday

Mangalore 575002 575003

Do here by solemnly affirm as follows

I say that I am deponent herein and the complainant in the above case. I know the facts of the case

I say that the accused and me are the friends each other, in this regard the accused requested me to pay sum amount to him for his urgent financial necessity. I had given amount of Rs 2,50,000/-(Rupees Two Lakhs Fifty Thousand to the accused. At the time of obtaining amount the accused promised me that he would repay the same within a short period of time. In spite of me repeated requests and demands the accused has not repaid the amount. Finally in discharge of the above said liability, the accused has issued cheque Bearing No967462 dated 15/09/2000 Canara Bank Valancia Branch drawn in favor of me for 2, 50,000/ (Two Lakhs Fifty Thousand Only)in favor of me.

3. I say that I presented the above said cheque before his banker for encashment. But the said cheque has been returned dishonored by the accused bank on the ground of “FUNDS INSUFFICIENT” as intimated to me as per cheque return memo dated 18/10/2000issued by the accused bank.

4. I say that I got issued a legal notice dated 09-11-2000 through his Advocate calling upon the accused to pay the amount covered by the above said cheque within 15 days from the date of receipt of this notice to his residential address. The said notice was sent by R.P.A.D. The Said notice was Unclaimed and intimation served to the accused on 11/11/2000. The accused ought to have made the payment on or before 25/11/2000. But the accused till today not made payment to me .

5. In this way the accused has committed the offence punishable under Section 138 of N.I.Act.

I say that this Hon’ble Court be pleased to take cognizance of the offence committed by the accused and proceed against him as per law in the interest of justice.

.

6. I say that I have produced all the original documents along with the complaint which may kindly be marked as exhibits

All this is true

**Identified by me**

**Advocate, Mangalore DEPONENT**

Solemnly affirmed and signed before me on this 6th day of April 2001 at Mangalore after the contents of this affidavit having been read over and interpreted to the deponent in Kannada a language known to him and admitted by him to be true and correct.

**IN THE COURT OF THE V TH J.M.F.C .D.K MANGALORE**

P.C.No. 1064 /2000

**Between:**

Mr, **Rama**Complainant

AND

Mr, **Antony**… Accused

**CHIEF EXAMINATION OF THE COMPLAINANT BY WAY OF AFFIDAVIT**

Name : Mr.Rama

Age : 43years,

Occupation : Bussinuns

Residence : C/o Ganesh Medical Kankanday

Mangalore 575002 575003

Do here by solemnly affirm as follows

I say that I am deponent herein and the complainant in the above case. I know the facts of the case

I say that the accused and me are the friends each other, in this regard the accused requested me to pay sum amount to him for his urgent financial necessity. I had given amount of Rs 2,50,000/-(Rupees Two Lakhs Fifty Thousand to the accused. At the time of obtaining amount the accused promised me that he would repay the same within a short period of time. In spite of me repeated requests and demands the accused has not repaid the amount. Finally in discharge of the above said liability, the accused has issued cheque Bearing No967462 dated 15/09/2000 Canara Bank Valancia Branch drawn in favor of me for 2, 50,000/ (Two Lakhs Fifty Thousand Only)in favor of me.

3. I say that I presented the above said cheque before his banker for encashment. But the said cheque has been returned dishonored by the accused bank on the ground of “FUNDS INSUFFICIENT” as intimated to me as per cheque return memo dated 18/10/2000issued by the accused bank.

4. I say that I got issued a legal notice dated 09-11-2000 through his Advocate calling upon the accused to pay the amount covered by the above said cheque within 15 days from the date of receipt of this notice to his residential address. The said notice was sent by R.P.A.D. The Said notice was Unclaimed and intimation served to the accused on 11/11/2000. The accused ought to have made the payment on or before 25/11/2000. But the accused till today not made payment to me .

5. In this way the accused has committed the offence punishable under Section 138 of N.I.Act.

I say that this Hon’ble Court be pleased to take cognizance of the offence committed by the accused and proceed against him as per law in the interest of justice.

.

6. I say that I have produced all the original documents along with the complaint which may kindly be marked as exhibits

All this is true

**Identified by me**

**Advocate, Mangalore DEPONENT**

Solemnly affirmed and signed before me on this 6th day of April 2001 at Mangalore after the contents of this affidavit having been read over and interpreted to the deponent in Kannada a language known to him and admitted by him to be true and correct.

**IN THE COURT OF THE V TH J.M.F.C .D.K MANGALORE**

C.C. No.463/2001

**Between:**

Mr, **RAMA** Complainant

AND

Mr, **ANTONY** … Accused

**APPLICATION UNDER SECTION 143-A OF THE NEGOTIABLE INSTRUMENTS ACT**

**Complainant** herein respectfully submits as under;

1. That the above case was filed by the complainant for the recovery of legally recoverable debt of Rs2,50,000/- due to complainant by the accused.
2. For the same accused issued the cheque same was dishonored and memo was issued as fund Insufficient on 18.10.2000.
3. Legal notice was sent the accused to pay the amount. Even though he was failed to repay the amount.
4. Hence the above case was filed against the accused before this Hon’ble court.
5. Same while accused appeared and pleaded not guilty. There is a fair chance of accused to ran away from the eye of law. Amount paid by the complainant is legally recoverable debt and such a huge amount.
6. Therefore it is very important to direct the accused to deposit the 20% of the cheque amount to complainant as interim compensation
7. If the application is allowed no hardship caused to accused. If the same is not allowed complainant put in great hardship and irreparable damage.

Therefore it is prayed that this Hon’ble court may be pleased to order accused to deposite the 20% of the cheque amount in the interest of justice and equity

Place:Manglore

Date:20.09.2018 Advocate for Complainant

**By R.P.A.D**

04/06/2003

**TO UthamSnthosh**

S/o K.Santhosh

Aged 38 years

R/at 7-56 Hosamane

HosamaneKanthappa Road

Near Kapithaniyo School

Kankanday Mangalore D.K

**Gentleman:**

As instructed by my client MrR.S Murugesh S/O LateSubramnya Aged 51years R/at Gurukripa Door No 15-6-275/2 DwarakaCompound Balmatta Mangalore 575003 575002. I am issuing you this notice for your ready compliance.

Or else necessary legal proceeding shall be initiated against you both in civil and criminal including Sec. 138 of N.I.Act at your risk as to all or costs and consequences thereof including Rs .1000 being the cost of this notice.

Mangalore Advocate

**IN THE COURT OF THE Vth J.M.F.C .D.K MANGALORE**

P.C .No. /2000

Between:

**R. S Murugesh**

**S/o Late R. Subramnya**

**R/at Gurukripa**

**Door No 15-6-275/2 Complainant**

**Dwaraka Compound**

**Balmatta Mangalore 575003**

**UthamSnthosh**

S/o K.Santhosh

Aged 38 years Accused

R/at 7-56 Hosamane

HosamaneKanthappa Road

Near Kapithaniyo School

Kankanday Mangalore D.K

**COMPLAINT UNDER SECTION 200 OF THE CODE OF CRIMINAL PROCEDURE 1973 FOR THE OFFENCE PUNISHABLE UNDER SECTIONS 138 OF N.I.Act.**

The above named Complainant humbly begs to submit as follows:

1. The address of the Complainant and that of the accused shall be as stated above in the cause title.

2. The Complainant submits that the accused and complainant are the friends each other, in this regard the accused requested the complainant to pay sum amount to him for his urgent financial necessity. The complainant had given amount of Rs 68,000/-(Sixty eight Thousand to the accused. At the time of obtaining amount the accused promised the Complainant that he would repay the same within a short period of time. In spite of the Complainant’s repeated requests and demands the accused has not repaid the amount. Finally in discharge of the above said liability, the accused has issued cheque Bearing No 990568 dated 13/05/2003South Indian Bank Ltd Krishna Towers Lady hill Mangalore 575006drawn in favor of my client for 68,000 (Sixty eight Thousand Only)in favor of the Complainant.

3. The Complainant has presented the above said cheque before his banker for encashment. But the said cheque has been returned dishonored by the accused bank on the ground of “FUNDS INSUFFICIENT” as intimated to the Complainant as per cheque return memo dated 18/10/2000issued by the accused bank.

4. Thereafter the complainant herein got issued a legal notice dated 09-11-2000 through his Advocate calling upon the accused to pay the amount covered by the above said cheque within 15 days from the date of receipt of this notice to his residential address. The said notice was sent by R.P.A.D. The Said notice was Unclaimed and intimation served to the accused on 11/11/2000. The accused ought to have made the payment on or before 25/11/2000. But the accused till today not made payment to the complainant.

5. In this way the accused has committed the offence punishable under Section 138 of N.I.Act.

It is, therefore, prayed that this Hon’ble Court be pleased to take cognizance of the offence committed by the accused and proceed against him as per law in the interest of justice.

Mangaluru:

Date: 09/12/ 2000 Advocate for Complainant Complainant

**(PRAKASH.K.S)**

I, the above named complainant do hereby declare that the facts stated above are all true and correct to the best of my knowledge and belief.

Mangaluru:

Date: 0 9/12/2000 Complainant

**LIST OF DOCUMENTS**:

1. Cheque bearing No967462 dated 15/09/2000 for

Rs 2,50,000/- drawn on Canara Bank Valancia Branch

In favor of the Complainant.

2**.** Cheque return memo.

3**.** Office copy of the Lawyer’s notice.

4. Postal Receipt

5. Return Not claimed registered post two in Number

**LIST OF WITNESSES:**

* 1. The Complainant
  2. The Branch Manager,

Canara Bank Valancia Branch

Mangaluru:

Date09/12/2000 Advocate for Complainant

**(PRAKASH.K.S)**

**IN THE COURT OF THE V TH J.M.F.C .D.K MANGALORE**

P.C. No. /2000

**Between:**

Mr, **RAMA** Complainant

AND

Mr, **ANTONY** … Accused

**MEMO FILED BY COMPLAINANT**

It is respectfully submits as follows:-

That the complainant filed above complaint against the accused for the offence committed under Section 138 of N. I. Act.

That the complainant produced the original cheque and the amount covered under the cheque is Rs. 2, 50,000/- (RupeesTwo Lakhs Fifty Thousand ) only. Hence the office may be directed to keep the original cheque in safe custody. The Xerox copy of the cheque is produced herewith.

Mangalore Advocate for Complainant

Date: 09- 12-2000 (Prakash. K. S.)

**IN THE COURT OF THE V TH J.M.F.C .D.K MANGALORE**

P.C. No. /2000

**Between:**

Mr, **RAMA** Complainant

AND

Mr, **ANTONY** … Accused

**AFFIDAVIT**

**I ,RAMA** S/o. Lokesh Aged 43 years

C/o Ganesh Medical Kankanday Mangalore 575002 do here by solemnly affirm and state as follows :.

I have filed this complaint against the accused for the offence punishable under section 138 of N.I.Act

I say that I have not filed any complainant or proceedings in respect of the transaction in the said complainant.

**All this is true**

Identified By Me

Deponent

Advocate

Solemnly affirmed and signed in my presence the contents of this Affidavit having been read over to the deponent in Kannada language and admitted by him to be true and correct on this9 thday December 2000 at Mangalore.

**IN THE COURT OF THE V TH J.M.F.C .D.K MANGALORE**

P.C.No 1064./2000

**Between:**

Mr, **Rama**Complainant

AND

Mr, **Antony**… Accused

**SOWRN STATEMENT OF THE COMPLAINANT BY WAY OF AFFIDAVIT**

Name : Mr.NaveenKambali

Age : 43years,

Occupation : Bussinuns

Residence : C/o Ganesh Medical Kankanday

Mangalore 575002 575003

Do here by solemnly affirm as follows

I say that I am deponent herein and the complainant in the above case. I know the facts of the case

I say that the accused and me are the friends each other, in this regard the accused requested me to pay sum amount to him for his urgent financial necessity. I had given amount of Rs 2,50,000/-(Rupees Two Lakhs Fifty Thousand to the accused. At the time of obtaining amount the accused promised me that he would repay the same within a short period of time. In spite of me repeated requests and demands the accused has not repaid the amount. Finally in discharge of the above said liability, the accused has issued cheque Bearing No967462 dated 15/09/2000 Canara Bank Valancia Branch drawn in favor of me for 2, 50,000/ (Two Lakhs Fifty Thousand Only)in favor of me.

3. I say that I presented the above said cheque before his banker for encashment. But the said cheque has been returned dishonored by the accused bank on the ground of “FUNDS INSUFFICIENT” as intimated to me as per cheque return memo dated 18/10/2000issued by the accused bank.

4. I say that I got issued a legal notice dated 09-11-2000 through his Advocate calling upon the accused to pay the amount covered by the above said cheque within 15 days from the date of receipt of this notice to his residential address. The said notice was sent by R.P.A.D. The Said notice was Unclaimed and intimation served to the accused on 11/11/2000. The accused ought to have made the payment on or before 25/11/2000. But the accused till today not made payment to me .

5. In this way the accused has committed the offence punishable under Section 138 of N.I.Act.

I say that this Hon’ble Court be pleased to take cognizance of the offence committed by the accused and proceed against him as per law in the interest of justice.

.

6. I say that I have produced all the original documents along with the complaint which may kindly be marked as exhibits

All this is true

**Identified by me**

**Advocate, Mangalore DEPONENT**

Solemnly affirmed and signed before me on this 6th day of April 2001 at Mangalore after the contents of this affidavit having been read over and interpreted to the deponent in Kannada a language known to him and admitted by him to be true and correct.

**IN THE COURT OF THE V TH J.M.F.C .D.K MANGALORE**

P.C.No. 1064 /2000

**Between:**

Mr, **Rama**Complainant

AND

Mr, **Antony**… Accused

**CHIEF EXAMINATION OF THE COMPLAINANT BY WAY OF AFFIDAVIT**

Name : Mr.Rama

Age : 43years,

Occupation : Bussinuns

Residence : C/o Ganesh Medical Kankanday

Mangalore 575002 575003

Do here by solemnly affirm as follows

I say that I am deponent herein and the complainant in the above case. I know the facts of the case

I say that the accused and me are the friends each other, in this regard the accused requested me to pay sum amount to him for his urgent financial necessity. I had given amount of Rs 2,50,000/-(Rupees Two Lakhs Fifty Thousand to the accused. At the time of obtaining amount the accused promised me that he would repay the same within a short period of time. In spite of me repeated requests and demands the accused has not repaid the amount. Finally in discharge of the above said liability, the accused has issued cheque Bearing No967462 dated 15/09/2000 Canara Bank Valancia Branch drawn in favor of me for 2, 50,000/ (Two Lakhs Fifty Thousand Only)in favor of me.

3. I say that I presented the above said cheque before his banker for encashment. But the said cheque has been returned dishonored by the accused bank on the ground of “FUNDS INSUFFICIENT” as intimated to me as per cheque return memo dated 18/10/2000issued by the accused bank.

4. I say that I got issued a legal notice dated 09-11-2000 through his Advocate calling upon the accused to pay the amount covered by the above said cheque within 15 days from the date of receipt of this notice to his residential address. The said notice was sent by R.P.A.D. The Said notice was Unclaimed and intimation served to the accused on 11/11/2000. The accused ought to have made the payment on or before 25/11/2000. But the accused till today not made payment to me .

5. In this way the accused has committed the offence punishable under Section 138 of N.I.Act.

I say that this Hon’ble Court be pleased to take cognizance of the offence committed by the accused and proceed against him as per law in the interest of justice.

.

6. I say that I have produced all the original documents along with the complaint which may kindly be marked as exhibits

All this is true

**Identified by me**

**Advocate, Mangalore DEPONENT**

Solemnly affirmed and signed before me on this 6th day of April 2001 at Mangalore after the contents of this affidavit having been read over and interpreted to the deponent in Kannada a language known to him and admitted by him to be true and correct.

**IN THE COURT OF THE V TH J.M.F.C .D.K MANGALORE**

C.C. No.463/2001

**Between:**

Mr, **RAMA** Complainant

AND

Mr, **ANTONY** … Accused

**APPLICATION UNDER SECTION 143-A OF THE NEGOTIABLE INSTRUMENTS ACT**

**Complainant** herein respectfully submits as under;

1. That the above case was filed by the complainant for the recovery of legally recoverable debt of Rs2,50,000/- due to complainant by the accused.
2. For the same accused issued the cheque same was dishonored and memo was issued as fund Insufficient on 18.10.2000.
3. Legal notice was sent the accused to pay the amount. Even though he was failed to repay the amount.
4. Hence the above case was filed against the accused before this Hon’ble court.
5. Same while accused appeared and pleaded not guilty. There is a fair chance of accused to ran away from the eye of law. Amount paid by the complainant is legally recoverable debt and such a huge amount.
6. Therefore it is very important to direct the accused to deposit the 20% of the cheque amount to complainant as interim compensation
7. If the application is allowed no hardship caused to accused. If the same is not allowed complainant put in great hardship and irreparable damage.

Therefore its prayed that this Hon’ble court may be pleased to order accused to deposite the 20% of the cheque amount in the interest of justice and equity

Place:Manglore

Date:20.09.2018 Advocate for Complainant

**BEFORE THE HON’BLE VIII JMFC COURT AT MANGALORE**

**CC No 463/2001**

**Between;**

**Mr**.**Rama… Complainant**

**AND**

**Mr. Antony… Accused**

**EXAMINATION IN CHIEF OF THE COMPLAINANT BY WAY OF AN AFFIDAVIT**

**I, Mr. RAMA,** aged about 45 years, S/o Narayan Kambali, R/at C/o Ganesh Medical, Kankanady, Mangalore- 575002, do hereby solemnly affirm and state on oath as follows;

1. I say that I am the deponent herein and the Complainant in the above Case. And I know the facts of the above Case.
2. I say that I and the Accused person are the friends each other, in this regard the Accused requested me to pay a sum amount to him for his urgent financial necessity. I had given amount of **Rs 2,50,000/ (Rupees Two Lakhs Fifty Thousand only)** to the Accused. At the time of obtaining amount the Accused promised me that he would repay the same within a short period of time. In spite of my repeated requests and demands the Accused has not repaid the amount. Finally in discharge of the above said liability, the Accused has issued cheque Bearing No. **967462,** dated **15/09/2000,** drawn on **Canara Bank,Valancia Branch** in favor of me for 2, 50,000/ (Two Lakhs Fifty Thousand Only).
3. I say that I have presented the above said cheque before his Banker for encashment. But the said cheque has been returned dishonored by the Accused Bank on the ground of **“FUNDS INSUFFICIENT”** as intimated to me as per **cheque return memo** dated **18/10/2000**issued by the Accused Bank.
4. I say that I got issued a **legal notice** dated **09-11-2000** through his Advocate calling upon the Accused to pay the amount covered by the above said cheque within 15 days from the date of receipt of this notice to his residential address. The said notice was sent by R.P.A.D. The Said notice was Unclaimed and **intimation served** to the Accused on **11/11/2000**. The Accused ought to have made the **payment** on or before **25/11/2000.** But the Accused till today not made payment to me.
5. In this way the Accused has committed the offence punishable under **Section 138 of N.I.Act.**I say that this Hon’ble Court be pleased to take cognizance of the offence committed by the Accused and proceed against him as per law in the interest of justice.
6. I say that I have produced all the original documents, which may kindly be marked as exhibits.

I the Deponent herein do hereby state and declare that the facts stated above are true and correct to the best of my knowledge and belief.

03.10.2003

Mangalore **Deponent**

**Identified by me,**

**Advocate, Mangalore**

Solemnly affirmed and signed before me on this 3rdday of October, 2003 at Mangalore after the contents of this Affidavit having been read over and interpreted to the Deponent in Kannada, a language known to him and admitted by him to be true and correct.