

(2023-4)212 PLR 068 (Kar.) (SN)

HIGH COURT OF KARNATAKA AT BENGALURU

Before : Justice S Rachaiah

R PRAMOD S/O V N RAMAKRISHNAIAH - APPELLANT

Versus

GANGADHARAI AH S/O GANGAPPA - RESPONDENT

CRIMINAL APPEAL NO. 2000 OF 2022

Evidence Act, Section 114 - Notice - Has not been received by the accused and there is a shara on the returned legal notice that door lock, unclaimed etc. - It is settled principles of law that if the notice is issued to the correct address of the accused and if the notice is not able to serve due to the reasons assigned in the said shara, it is deemed that the notice is served to the accused in terms of Section 27 of General Clause Act read with Section 114 of the Indian Evidence Act - Moreover, the accused has not disputed that he was not residing in the said address - General Clause Act, Section 27 - Negotiable Instruments Act, 1881 (26 of 1881) S. 138.

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