

Counsel for complainant has filed memo by not pressing the earlier application dated 27.04.2022 by submitting that, one of the LR of complainant has been omitted in the said application.

On the last hearing date only, orders has been passed on the said application. Now, the complainant intends to include another one legal heir of the complainant along with earlier application. By considering the grievance urged in the memo , the same is hereby accepted.

ORDERS ON APPLICATION

Sri. MRH counsel has filed vakalath for applicants along with another application to bring the legal heirs of deceased complainant seeking that they may be impleaded in the place of deceased complainant thereby enabling them to continue the proceedings.

2. In support of the application it is contended that the complainant demised on 08.06.2021. Hence, the applicants who are the legal heirs of the deceased complainant may be permitted to continue to prosecute the proceedings.

3. On the other hand the accused has not been appeared and warrant and proclamation is pending against him.

4. Heard learned counsel for the applicants.

5. The complaint is filed by invoking the provisions of Negotiable Instruments Act, 1881 and the deceased complainant had filed the PCR after duly complying all the per-requisites as required under law; and hence the cognizance was taken for the offence and accused was summoned and NBW is pending. It is at this stage that the death of the complainant is reported and the application under consideration is filed. Where the application is supported by the Death Certificate of deceased complainant

by name R. Siddappa who died on 08.06.2021. In support of application documents such as copy of adhar cards of the LR of complainant are filed. Hence, this court has no reason to disbelieve the contentions of the applicant that they are legal heirs of the deceased complainant.

In view of the above decision this court finds no hesitation in holding that the application is fit to be allowed and the applicants should be permitted to implead themselves in this case and contest the complaint on merits.

7. For the foregoing reasons, this court proceeds to pass the following:

ORDER

The application filed by the applicants is hereby allowed.

Consequently, the applicants are impleaded as Complainant No.1(a) to (d). The complainants shall carry out amendment and file amended complaint r/by .

05.06.2026.

I Addl. Sr. Civil Judge &
J.M.F.C., Hunsur

ORDERS ON APPLICATION FOR AMENDMENT

The learned counsel for complainant has filed another application, seeking amendment of cause title in the complaint. It is submitted that the name of accused mistakenly mentioned as Sunil Nayak instead of Subramanya Nayak C.S. Hence , seeking amendment of cause title to rectify the name of accused.

On the other hand, the accused has not been appeared so far, still warrant in proclamation is pending against him.

Heard and perused the application.

On perusal in the complaint, the name of accused is mentioned as Sunil Nayak in the cause title. Now, counsel for complainant has filed application to amend the cause title by mentioning the name of accused as Subramanya Nayak C.S instead of Sunil Nayak. In support of said application, memo with document is filed such as copy of Bank Passbook , Election ID card, RC and ration Card which go to show the name of accused as Subramanya Nayaka C.S in all the records. Hence, application deserves to be allowed in the interest of justice. In the result, the application is hereby allowed.

To carry out amendment as per application and to furnish amended complaint.

Call on: 11.06.2026.

05.06.2026.

**I Addl. Sr. Civil Judge &
J.M.F.C., Hunsur**