

IN THE COURT OF JUDICIAL MAGISTRATE NO.1 AT RAMANATHAPURAM

PRESENT : Thiru. J.HARIHARASUDHAN, B.A. L.L.B. (Hons)
Judicial Magistrate No.1,
Ramanathapuram.

Monday the 13th day of July 2026

Crl.MP.No.624 of 2024

in

STC No.90 of 2021

N.Krishnan

...Petitioner/ Complainant

// Vs //

Vinothkumar

...Respondent/Accused

* * * * *

This petition came before me for final hearing on 13.07.2026 in the presence of Advocate Mr.N.Manickam appearing for the Petitioner and, Advocate Mr.K.Muthuduraisamy appearing for the respondent and after hearing the submission of both sides and perusing the documents, this court delivers the following....

ORDER

1. The present petition is filed to amend the complaint as well as the proof affidavit of the petitioner. The contention of the learned counsel for the petitioner is that the suit cheque is of 'State Bank of India' and mistakenly they mentioned 'Bank of Baroda' in the list of documents annexed with the complaint and proof affidavit. The petitioner counsel further contended that such mistake is to be amended in the interest of justice. On the other hand the learned counsel for the respondent objected stating that the case has been pending for 2 years and now after cross examination of PW1/Complainant, the petitioner side have no legal way for amending the contents which would change the nature of the present false case hoisted by the petitioner.

2. The Point for consideration is whether the petitioner is entitled to the relief of amendment or not?

Discussion and Decision:

3. Heard the submissions made on both sides. Perused all the case records. On such perusal it is seen that the present petition for amendment has been filed by the petitioner after his cross examination and while the case is at the stage of further complainant side evidence. On the careful analysis of the contents of the Complaint

and the proof affidavit of the petitioner, this Court can see that the petitioner side have mentioned the bank name of the suit cheque as 'Bank of Baroda' in the list of documents part, while bank name is mentioned as 'State Bank of India' in the body of the Complaint as well as proof affidavit. Further this court can see that even in the legal notice (Ex.P3) sent to the respondent, the bank name is mentioned as 'State Bank of India' and further this Court can confirm from the suit cheque (Ex.P1) that the bank is 'State Bank of India' only. On carefully considering all those factors, this Court is of the opinion that the mentioning of the bank name as Bank of Baroda' in the list of documents parts of the Complaint as well as proof affidavit seems to be human error. However considering the aspect that the case has gone past to futher PWS stage, the fact that the body contents of the complaint as well as proof affidavit contains correct bank name and the aspect that aforesaid mistake can very well be explained by the petitioner side during the arguments of this case, this Court is of the opinion that the amendment sought for in the present petition cannot be entertained at the present stage. Accordingly, this Court is not inclined to allow this peition and it is dismissed. No Costs.

Directly typed by me and pronounced by me in open court on this the 13th day of July 2026.

Judicial Magistrate No.I,
Ramanathapuram.