

In the court of the Fast Track Court (Magisterial Level), Kovilpatti

Present: Thiru.K. Anand., M.L.,

Judicial Magistrate,(FAC)

On this 20th day of July month of 2026,

Crl.M.P.No. 3061/2024

in

S.T.C.No. 46/2023

Mariyappan

.... Petitioner / Complainant

/Vs/

Muralikrishnan

.... Respondent / Accused

ORDER

This petition is filed by the Petitioner's counsel Thiru.K.Vinothkumar and Thiru.R.Marikumar appeared for the Respondent and having perused the available materials on record this court delivered the following.

Brief of petition

1. This petition is filed by the petitioner u/s.143A of NI Act. The petitioner is the Complainant in this case and the Respondent is the Accused in this case.
2. The petitioner in the petition states that the petitioner given the amount to the respondent and received cheque on the same day. The date on which the respondent received the amount from the petitioner and issued the cheque was 10.12.2022. However, due to typographical error in the notice, it was stated as 10.02.2022 instead of 10.12.2022. The respondent did not send any reply notice to the above notice.

3. The petitioner filed this complaint by converting the already typed notice contents in the computer without noticing the above typographical error. The respondent conducting the case like that one cheque was executed on 24.11.2022 and other two cheque was executed on 05.12.2022. The petitioner has three cheques of the respondent. It is not possible that before the execution of the cheque, it could not be comes under the possession of the petitioner. The petitioner came to know the above error only after the cross examination of the petitioner. Hence the petitioner filed this petition to amend the date as 10.12.2022 instead of 10.02.2022 in para 1 of line 5 of the complaint.

Counter

4. The Respondent objected that the petition is liable to be dismissed. The contents of the petition is false. There is no provision in the crpc to filed amendment petition. The U/s.143A of NI Act deals about interim compensation only. The petitioner is permitted to amend only minor typographical mistakes. The amendment sought by the petition changes the very root cause of the case which is impermissible. The allowance of petition would cause serious prejudice to the respondent.
5. Since the notice was send before this case it cannot be amended. The amendment of date is impermissible since on the basis of notice this complaint is filed. The petitioner in his cross examination deposed that the loan was agreed to be repaid after 10 months. When the complainant filed this case on four cheques, in the petition he stated that he has only three cheques, which is unacceptable.

The point for consideration is whether this petition is to be allowed or not?

6. Records perused.

7. The petitioner filed this petition to amend the date of 10.02.2022 as 10.12.2022 in line number 5 of para 1 of the complaint, since the error accrued due to typing. But the respondent objected that above amendment would change the root cause of the complaint and the case of the petitioner is that after 10 months the debt would be repaid from the date of 10.02.2022.
8. In the Ex.P1 cheque date was stated as 24.11.2022 and Ex.P2 cheque date was 24.11.2022 and Ex.P3 cheque date was 05.12.2022 and Ex.P4 cheque date was 05.12.2022. The petitioner in the complaint stated that after 10 months from 10.02.2022 the respondent promised to pay the debt. Now the petitioner in the petition stated that the date of issuance of debt is 10.12.2022 instead of 10.02.2022. In the legal notice the petitioner stated that date of issuance of debt is 10.02.2022. The petitioner in his cross examination also admitted that the respondent requested the debt amount on 01.02.2022 and the petitioner issued the debt amount to the respondent on 10.02.2022.
9. Now the petitioner filed this petition to amend the date of issuance of debt amount which is unacceptable since as per the complaint before the cheque dates the cheques were issued to the petitioner by the respondent. The case of the petitioner is that after 10 months the debt amount will be repaid and in the cheque dates are stated as 19.01.2023, 22.01.2023, 01.02.2023, 10.02.2023 respectively. Moreover the petitioner in his deposition admitted that the date of debt amount is 10.02.2022.
10. Therefore, petitioner does not state any sufficient cause in the petition and this petition is only filed to drag on the case and allowance of this petition would cause serious prejudice to the respondent and the amendment sought by the petitioner would change the root cause of the case and the petition is

contradictory to the deposition of the petitioner and the amendment sought is not mere a typographical error and for speedy disposal of case and interest of justice, this petition is liable to be dismissed.

Hence interest of justice this petition is dismissed accordingly.

Dictated to the Steno-Typist and directly typed by her in Computer and corrected by me and Pronounced by me in the open court on this day 20th day of July 2026.

Judicial Magistrate,
Fast Track Court,
Kovilpatti(FAC).