



Crl.M.P.No.15912 of 2024 in
Crl.O.P.No.7496 of 2024

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P.VELMURUGAN, J.

Earlier, the petitioner had filed Crl.M.P.No.11268 of 2024 in Crl.O.P.No.7496 of 2024, seeking to amend the order by substituting Section 420 and 506 (i) IPC instead of Section 138 of the Negotiable Instruments Act in Crl.O.P.No.7496 of 2024. This Court, by an order dated 25.09.2024, dismissed the said petition, holding that the order cannot be amended without amending the main petition. However, the petitioner has now, through the present petition, sought to amend the first and second paragraphs of the order in Crl.O.P.No.7496 of 2024 dated 27.03.2024, by substituting the offence punishable under Section 138 of the Negotiable Instruments Act with offences punishable under Sections 420 and 506(i) of the Indian Penal Code.

2. It is pertinent to state that once a final order has been passed by a court, the sections or offences mentioned in that order cannot be amended unless there is a specific provision in law allowing such a change. Admittedly, there is no provision for amending the sections once the final order has been passed. It is also be noted that when this Court dismissed Crl.M.P.No.11268 of 2024 on 25.09.2024, holding that the criminal original petition mentions only Section 138 of the Negotiable Instruments Act, and therefore the order



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cannot be amended without amending the main petition, the petitioner has now filed a second petition seeking to amend the first and second paragraphs where the offences are mentioned. In other words, the petitioner seeks to substitute Section 138 of the Negotiable Instruments Act with offences punishable under Sections 420 and 506(i) of the Indian Penal Code (IPC). This attempt is not proper, and therefore, the present petition is not maintainable and is liable to be dismissed. Accordingly, this criminal miscellaneous petition is dismissed.

25.11.2024

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