



Crl.O.P.No.25988 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P.No.25988 of 2025

K.Mohan Reddy

... Petitioner

Vs.

1. Kumar
2. Amala

... Respondents

PRAYER : Criminal Original Petition is filed under Section 528 of BNSS, to set aside the trial court order dated 14.08.2025 in Crl.M.P.No.4 of 2025 in C.C.No.1 of 2016, on the file of the District Munsif cum Judicial Magistrate at Pallipattu.

For Petitioner : Mr.L.Ramu

ORDER

The Criminal Original Petition has been filed seeking to set aside the order passed by the learned District Munsif cum Judicial Magistrate, Pallipattu, in Crl.M.P.No.4 of 2025, dated 14.08.2025, dismissing the application filed seeking leave to amend the private complaint.



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WEB COPY 2. Heard the learned counsel appearing for the petitioner and perused the materials available on record.

3. The petitioner had lodged a complaint against the respondents/accused before the learned District Munsif cum Judicial Magistrate, Pallipattu, in C.C.No.01 of 2016, for the offences under Sections 224, 233 & 506(ii) of IPC. Since the provisions of law had been wrongly typed in the complaint, the petitioner filed an application in M.P.No.4 of 2025, seeking leave to amend the offences mentioned in the complaint as Sections 294(b), 323 and 324 IPC instead of Sections 224 and 233 IPC. However, the learned Magistrate, vide order dated 14.08.2025, dismissed the said application stating that the matter was at the stage of cross examination of PW1 and allowing the petition would cause prejudice to the accused. Aggrieved by the same, the present petition has been filed.

4. A perusal of the records indicates that the petitioner has sought amendment of the complaint after a lapse of nine years and that too after the trial Court had taken cognizance of the case. It is further seen that the trial has already commenced and the charges have been framed. Therefore, at



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this stage, the petitioner cannot seek for amendment in the complaint to include the other provisions of law. This Court, therefore, is not inclined to interfere with the order passed by the learned District Munsif cum Judicial Magistrate, Pallipattu. The learned Magistrate shall proceed the case and decide the matter based on the evidence available on record, in accordance with law.

5. Accordingly, this Criminal Original Petition stands dismissed.

22.09.2025

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Neutral Citation: Yes/No

To

The District Munsif cum Judicial Magistrate,
Pallipattu.



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N. SATHISH KUMAR, J.

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