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Crl.R.C.No.109 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2026

CORAM:

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.R.C.No.109 of 2026

M.Paramasivam

...Petitioner

-Vs-

M.Baskar
S/o.Mani,
No.19-B, Karuppasamy Koil 1st Street,
Erode Taluk,
Erode District.

...Respondent

PRAYER: Criminal Revision Petition is filed under Sections 438 r/w 442 of BNSS Act, 2023, to call for the records and set aside the order passed in M.P.No.1 of 2025 in S.T.C.No.349 of 2023 on the file of the learned Judicial Magistrate Fast Track Court-II, Erode by an order dated 21.11.2025.

For Petitioner : Mr.M.Sivakumar

ORDER

The Revision challenges the order passed in Crl.M.P.No.1 of 2025, by which the learned Magistrate had permitted the respondent herein to amend the proof affidavit and complaint.



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2.The petitioner is an accused facing prosecution under Section 138 of the Negotiable Instruments Act. The respondents had stated in the statutory notice, proof affidavit and in his deposition that the cheque issued by the petitioner was drawn on State Bank of India, Erode Main Branch instead of Karnataka Bank Limited, Erode Main Branch and therefore, sought for amendment. The learned Magistrate observed that it is only a typographical error, as the respondent herein had produced documents to show that the cheque issued by the petitioner was drawn on Karnataka Bank Limited, Erode Main Branch.

3.The learned counsel for the petitioner would submit that the impugned order is liable to be set aside as the respondent cannot be permitted to amend the complaint or the proof affidavit at the argument stage and therefore, it caused serious prejudice to the petitioner.

4.Admittedly, the cheque of the petitioner was drawn on Karnataka Bank Limited, Erode Main Branch and the document filed by the respondent also establishes the same. The error committed by the respondent in mentioning the wrong bank name appears to be a typographical error.



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5.In view of the above, no prejudice is caused to the petitioner by the impugned order passed by the learned Magistrate. Therefore, this Court sees no reason to interfere with the impugned order.

6.Accordingly, the Revision is dismissed.

20.01.2026

Tsg

To

The Judicial Magistrate
Fast Track Court-II, Erode.



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SUNDER MOHAN, J.

Tsg

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