

THE CODE OF CRIMINAL PROCEDURE (EXCERPT)
Act 175 of 1927

763.6 Acquittal on variance, insufficiency or irregularity of indictment as bar to subsequent prosecution.

Sec. 6.

If any person who is indicted or informed against for any offense shall on his trial be acquitted upon the grounds of a variance between the indictment or information and the proof or upon any insufficiency or irregularity in the form or substance of the indictment, he may be arraigned again on a new indictment for the same offense, notwithstanding such former acquittal.

History: 1927, Act 175, Eff. Sept. 5, 1927 ;-- CL 1929, 17134 ;-- CL 1948, 763.6