

**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