

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.1921 of 2015

ORDER:

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1. This Criminal Revision Case is filed by the petitioner challenging the order dated 4.8.2015 passed in Crl.M.P.No.3438 of 2013 in Crime No.62 of 2013 by the I Additional Judicial Magistrate of First Class, Tadepalligudem.

2. The petitioner-accused filed the above Crl.M.P. under Section 45 of the Indian Evidence Act seeking to send documents 1 and 2 to the handwriting expert for the purpose of comparing his signatures with the admitted signatures. The trial Court dismissed the said application. Aggrieved by the same, the petitioner filed this revision.

3. Heard and perused the material available on record.

4 .The trial Court dismissed the above Crl.M.P. on the ground that the bank authorities returned the cheque due to insufficient funds in the account of the petitioner-accused, but not on the ground that the signature on the cheque was not tallied.

5. After perusing the material available on record, this Court is of the view that the present application filed by the petitioner-accused is premature one. Even prior to cross-examination of P.W.1-complainant regarding genuineness of the signatures on the pronote and cheque, the petitioner filed the present application. In view of the same, this Court is not inclined to interfere with the order under revision. However, the petitioner is at liberty to file a fresh application for the same relief before the trial Court after examination of P.W.1 and other witnesses, if he so desires.

6. Accordingly, the Criminal Revision Case is disposed of. Consequently,

miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Dated: 9.9.2015

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