

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.966 OF 2015

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ORDER:

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The petitioner filed this Criminal Revision Case by invoking the provisions under Sections 397 and 401 of the Criminal Procedure Code being aggrieved by the order dated 24-04-2015 passed in CrI.M.P.No.403 of 2015 in C.C. No.99 of 2013 by the Additional Judicial Magistrate of First Class, Ramachandrapuram, wherein and whereby the learned Magistrate dismissed the petition filed by the petitioner invoking the provisions under Section 45 of the Indian Evidence Act, 1872.

Having heard the learned counsel on either side and perused the material available on record, this Court is of the view that as the petitioner is disputing his signatures in Ex.P1 - promissory note and Ex.P2-cheque, the trial Court is at liberty to obtain the handwriting and signatures of the petitioner-accused in the open court and compare the same in the Court itself. If the trial Court found that there is some discrepancy and also difference in the signatures in the documents concerned, the trial Court is at liberty to send the same for expert opinion.

Accordingly, the Criminal Revision Case is disposed of with a direction to the trial Court to obtain the handwriting and signatures of the petitioner-accused in the open Court and compare the same along with the said documents and if it found some difference, the trial Court is at liberty to take appropriate steps.

Accordingly, the Criminal Revision Case is disposed of. Consequently, the Miscellaneous Petitions pending, if any, in this revision shall stand closed.

JUSTICE RAJA ELANGO

16th June 2015.

skmr