



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Friday, the Fourteenth day of February Two Thousand Twenty
PRESENT

The Hon`ble Mrs.Justice R.THARANI
CRL MP (MD). No.8472 & 8473 of 2019

in

Crl.R.C. (MD) Nos.587 & 589 of 2017

WEB COPY

M/s. Dev Agencies
Represented by its Power Agent
S. Kamalanathan,
NO.5/184-1, Sri Ragavendra Nagar,
Madurai Bye Pass Road,
Karur.

... Petitioner/Respondent in both MPs
Vs

A. Nirmala
Proprietrix of Mile Man Company,
No.545/1, Duraisamy Buildings,
Kalappanaicken Palayam Pirivu,
Near LPG Bunk, Thadagam Road,
Coimbatore 641 108.

... Respondent/ Petitioner in both MPs
Prayer in CRL MP (MD). No.8472/2019 :-

This Criminal Miscellaneous petition filed under section 482 of Cr.P.C., to modify the order dated 01.08.2018 and 30.04.2019 made in the above Crl. R.C (MD) No. 589/2017 with a direction to the Magistrate court to send the Original Marketing agency agreement dated 16.10.2013 and the cheques for the comparison of the signatures and also for the opinion of the expert.

Prayer in CRL MP (MD). 8473/ 2019 :

This Criminal Miscellaneous petition filed under section 482 of Cr.P.C., to modify the order dated 01.08.2018 and 30.04.2019 made in the above Crl. R.C (MD) No. 587/2017 with a direction to the Magistrate Court to send the original marketing agency agreement dated 16.10.2013 and the cheques for the comparison of the signatures and also for the opinion of the expert.

Prayer in CRL RC (MD). 587/ 2017 :

This Criminal Revision petition filed under section 397 & 401 of Cr.P.C., to call the entire records pertaining to the order in Cr.M.P.No.3740 of 2017 in C.C.No. 301 of 2016 dated 04.05.2017 passed by the Fast Track Court at Magisterial Level, Karur and set aside the same.

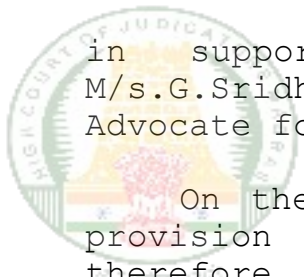
Prayer in CRL RC (MD). 589/ 2017 :

This Criminal Revision petition filed under section 397 & 401 of Cr.P.C., to call for the entire records pertaining to the order in Cr.M.P.No.3744 of 2017 in C.C.No. 310 of 2016 dated 04.05.2017 passed by the Fast Track Court at Magisterial Level, Karur, and set aside the same,

ORDER:-

<https://hcservices.ecourts.gov.in/hcservices/>

These Criminal Miscellaneous petitions coming up for orders on this day and upon perusing the petitions and the affidavits filed



in support thereof and upon hearing the arguments of M/s.G.Sridharan, Advocate for the Petitioner and of Mr.S.Saravanan, Advocate for the respondent, this Court made the following order:

On the side of the petitioner, it is stated that there is a provision to change the signature in the Bank documents and therefore, the comparison of the specimen signature available in the Bank will not serve any purpose. It is further stated that there is an agreement, dated 16.10.2013 and that agreement can be sent for comparison.

2. On the side of the respondent, it is stated that the respondent did not give any change of specimen signature to the Bank and the specimen signature can be sent for comparison. However, the respondent has fairly admitted the signature in the agreement, dated 16.10.2013, which is available in the Court records and therefore, the same can be sent for comparison.

3. Since both sides counsel agreed that the agreement, dated 16.10.2013, is an admissible document, instead of, calling for specimen signature of the accused from the Bank, the trial Court is directed **to send the agreement, dated 16.10.2013** alongwith the specimen signature taken from the accused in the open Court for expert opinion.

4. These Criminal Miscellaneous Petitions are allowed and the earlier order, dated 30.04.2019, is modified with the above directions.

5. The Registry is directed to issue fresh corrected copy, by incorporating the aforementioned corrections, to the parties forthwith.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

TO

The Judge, Fast Track Court at Magisterial Level, Karur,

Copy to:

The Section Officer, Criminal Section,

Madurai Bench of Madras High Court, Madurai

+1cc to Mr.P.Aravindraaj, Advocate, Sr.No.6852

+1cc to Mr.G.Sridharan, Advocate, Sr.No.6417

ORDER DATED : 14/02/2020

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ORDER

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CRL MP(MD). No.8472 & 8473 of 2019

in

Crl.R.C.(MD) Nos.587 & 589 of 2017

Giving direction and etc. as stated within.