



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Tuesday, the Twenty Sixth day of July Two Thousand and Twenty Two
PRESENT

The Hon`ble Mr.Justice V.SIVAGNANAM

Crl.M.P.(MD)No.7733 of 2022

in

Crl.O.P(MD)Nos.13666 of 2020 and 14462 of 2021

IN Crl.M.P.(MD)No.7733 of 2022:

C.RAMASAMY

... PETITIONER/ACCUSED NO.1

Vs

1 THE STATE REP.BY,
THE INSPECTOR OF POLICE
VICKRAMASINGAPURAM POLICE STATION,
TIRUNELVELI DISTRICT.
CR.NO.455/2020

...RESPONDENT/COMPLAINANT

2 MUTHULAKSHMI

... RESPONDENT/
DEFACTO COMPLAINANT

Prayer in Crl.M.P.(MD)No.7733 of 2022 in Crl.O.P(MD)Nos.13666 of 2020:

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to pass an interim direction by directing the R1 to send for the aforesaid document nos.i to iv to the Regional Director Regional Forensic Kaboratory Madurai for Examination so as to compare the R2 signature with her specimen signature and to get a report thereon in connection with the case in Crime No.455 of 2020 pending on the file of the 1st respondent pending on the quash petition in Crl.O.P(MD) No.13666 of 2020 pending on the file of this Hon'ble court.

Prayer in CRL OP(MD). 13666/ 2020 :

To call for the entire records pertaining to the case in Crime No.455 of 2020 pending on the file of the Inspector of Police, Vickramasingapuram Police Station,Tirunelveli District and quash the same as against the petitioner.

IN CRL OP(MD)NO.14462 of 2021 :

1 I.JEYAKUMAR

... PETITIONER/ ACCUSED NO.3

Vs

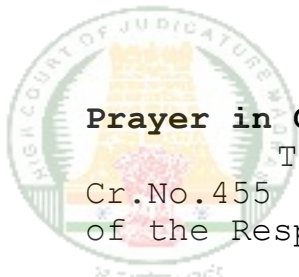
1 THE STATE REP.BY,
THE INPSECTOR OF POLICE
STATE OF TAMIL NADU, V.K.PURAM POLICE STATION,
TIRUNELVELI DISTRICT.
CR.NO. 455 OF 2020.

...RESPONDENT NO.1/COMPLAINANT

<https://www.mhc.tn.gov.in/judis>

2 M.MUTHU LAKSHMI

... RESPONDENT NO.2/
DEFACTO COMPLAINANT

**Prayer in CRL OP(MD) . 14462/ 2021 :**

To call for the records pertaining to the Impugned FIR in Cr.No.455 of 2020 U/s.120B,467,468 of IPC dt.6.10.2020 on the file of the Respondent No.1 and Quash the same so far as the Petitioner.

Order : These petitions coming up for orders on this day, upon perusing the petitions filed in support thereof and upon hearing the arguments of M/S. ANAND.R, Advocate for the petitioner in Crl.M.P. (MD)No.7733 of 2022 and M/S.PINAYGASH.I, Advocate for petitioner in Crl OP(MD)No.14462 of 2021 and of M/S.A.ALBERT JAMES, Government Advocate(Crl) on behalf of the Respondent No.1 in both petitions and M/S.S.SUNDARAPANDIAN, Advocate for Respondent No.2 in both petitions, the court made the following order:-

This petition is filed seeking a direction to the first respondent to send the disputed document Nos.i to iv to the Regional Forensic Laboratory, Madurai for examination, so as to compare the second respondent's signature with her specimen signature and to get a report thereon in connection with the case in Crime No.455 of 2020 pending on the file of the first respondent.

2.The learned counsel for the petitioner submitted that the documents have to be submitted before the forensic laboratory for examination since the second respondent/defacto complainant signed her signature in some other document.

3. On perusal of the records, it is seen that in the First Information Report it has been stated that she did not have the habit of putting signature in any document because of her illiteracy, whereas the said 2008 document contains her signature. Hence, the prayer sought for by the petitioner cannot be entertained. It is not proper to give direction to the Investigating Officer how to investigate and the Investigating Officer has full freedom to investigate the case before him. Therefore, this Court finds no merits in this case.

4. Accordingly, this Criminal Miscellaneous Petition stands dismissed. The Investigating Officer is directed to complete the investigation within a period of three months from the date of receipt of a copy of this order.

5. List the matter after completion of investigation.

sd/-
26/07/2022

/ TRUE COPY /

/08/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1. THE INSPECTOR OF POLICE
VICKRAMASINGAPURAM POLICE STATION,
TIRUNELVELI DISTRICT.

2. THE INSPECTOR OF POLICE
STATE OF TAMIL NADU, V.K.PURAM POLICE STATION,
TIRUNELVELI DISTRICT.

3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. C.C. to M/S.S.SUNDARAPANDIAN, Advocate SR.No.7962

ORDER
IN
Crl.M.P. (MD) No.7733 of 2022
in
Crl.O.P (MD) Nos.13666 of 2020
and 14462 of 2021
Date :26/07/2022

RK/JM/SAR-IV/02.08.2022/3P/5C