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Crl.O.P.No.10908 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.06.2024

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THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN

Crl.O.P.No.10908 of 2024

R.Prasad @ Ramichetty Prasad

.... Petitioner

Versus

The State represented by
the Inspector of Police,
Central Crime Branch,
EDF-I, Team-I,
Vepery, Chennai - 600 007.
(Crime No.84 of 2022)

.... Respondent

Prayer: The Criminal Original Petition is filed under Section 482 of Cr.P.C. to direct that the charge-sheet documents LD-8 the disputed service agreement dated 05.03.2021 as well as the vouchers LD-10 to LD-23 in C.C.No.2777/2023 pending on the file of the Metropolitan Magistrate (Exclusive Court for Trial of CCB & CBCID Cases), Egmore, Chennai, be sent for a forensic hand writing expert's analysis along with the original admitted documents marked as A1 to A137 as per TNFSD Report No. T.No.394/2024 Doc.No.11/2024 dated 30.01.2024 and report from any Central Forensic Science Department.



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For Petitioner : Mr.B.Mohan
For Respondent : Mr.S.Udaya Kumar
Government Advocate (Crl.Side)

For Intervenor : Mr.B.Kumar, Senior Counsel
for Mr.Aravind Jayakumar

ORDER

The petitioner herein, who is the accused in Crime No.2777 of 2023 pending on the file of the Metropolitan Magistrate (Exclusive Court for Trial of CCB & CBCID Cases), Egmore, Chennai, is before this Court stating that the agreement and vouchers, which are relied by the prosecution as Listed Documents 8, 10 to 23 are not documents emanated from him.

2. However, relying upon those documents, the prosecution has laid final report. Hence, an opinion of Forensic Science Expert has to be obtained by referring those documents to the Central Forensic Science Laboratory.

3. The learned Government Advocate (Crl.Side) submitted that an attempt to compare the admitted signature of the accused with that of the



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disputed document did not yield any result due to variation in the writing pattern and style. The opinion received from the Forensic Science Department reveals that signatures of similar pattern alone could be compared, whereas specimen signatures sent are in long signatures and questionable signatures are in short signatures and hence, the same could not be compared.

4. The police, on receipt of the opinion, has concluded the investigation and filed the final report. It is open to the trial Court to decide whether the material placed by the prosecution is sufficient to frame charge or need further investigation on the disputed documents by getting an opinion from any other Expert or collecting the specimen signature of the accused in any other pattern.

With the above terms, this Criminal Original Petition is disposed of.

20.06.2024

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DR.G. JAYACHANDRAN, J.

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To

1. The Inspector of Police,
Central Crime Branch,
EDF-I, Team-I,
Vepery, Chennai - 600 007.
2. The Public Prosecutor, High Court of Madras.

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