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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-12-2025

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THE HONOURABLE MR.JUSTICE SUNDER MOHAN

**CRL RC Nos. 2057 & 2058 of 2025 and
CRL MP Nos. 19307 & 19309 of 2025**

Mohanlal Bora
Proprietor, Mohan Metals, No.63,
Savarimuthu Street, Mannady,
Chennai-600 001.

Petitioner(s)

Vs

M/s.Darshan Comtrade Pvt Ltd
Rep its by director Mr.Samir Metha,
having office at No.3/5,
Gangureedy Road, Egmore,
Chennai-600 008.

Respondent(s)

PRAYER: Criminal Revision filed under Section 438 r/w 442 of BNSS to set aside the order passed in Crl.M.P.Nos.12964 & 12718 of 2025 respectively in STC.No.9418/2023 on the file of the XXVI Metropolitan Magistrate, Egmore, Chennai.

In both petitions:

For Petitioner(s): Mr.S.Krishnamoorthy

For Respondent (s): Mr.Babu

COMMON ORDER

Crl.R.C.No. 2057 of 2025 has been filed challenging the impugned order passed in Crl.M.P.No.12964 of 2025 by the learned XXVI Metropolitan Magistrate, Egmore, dismissing the petition filed by the petitioner to summon the Bank Manager, where, the accused maintained accounts, to produce the specimen signature.



2.Crl.R.C.No.2058 of 2025 has been filed challenging the impugned order passed in Crl.M.P.No.12718 of 2025 by the learned XXVI Metropolitan Magistrate, Egmore, dismissing the petition filed by the petitioner seeking to send the acknowledgment card and cheques to the handwriting expert for comparison of the signature with the admitted signature of the petitioner.

3.Both the petitions came to be dismissed by the impugned orders on the ground that petitioner himself has admitted his signature in Exs.P2 to P6 and therefore, there is no necessity either to summon the Bank Manager or send the signature for comparison.

4.The learned counsel for the petitioner submitted that the petitioner never admitted the signature in the cheques; that the cross examination of the complainant does not suggest such an admission; that the complainant himself has admitted that the signatures in Exs.P2 to P6 is different from Ex.P9, which is an acknowledgment card signed by the petitioner and therefore, the impugned orders are liable to be set aside and sought for allowing these revisions.

5.The learned counsel for the respondent however submitted that the petitioner has been taking contrary stands before the Trial Court; that it is his case that the cheques were issued for security purpose and if the cheques were issued for security purpose, it would have certainly contained signature of the



petitioner and the complainant is entitled to fill up the details in the cheques and therefore, the petitions have been filed only to delay the trial.

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6. Upon considering the submissions made on either side and on perusal of the cross examination of the complainant this Court is of the view that no prejudice would be caused if the Bank Manager is summoned to produce the specimen signature of the petitioner while opening the account. However, this Court is of the view that there is no necessity to send the signature to an expert for comparison as the specimen signature produced by the Bank can be compared with the signatures in the cheques.

7. Hence, Crl.R.C.No. 2057 of 2025 stands allowed and Crl.R.C.No.2058 of 2025 stands dismissed. The learned XXVI Metropolitan Magistrate, Egmore, Chennai, shall summon the Bank Manager. The chief and cross-examination of the Bank Manager shall be completed on the same day. The learned Magistrate shall conclude the trial within a period of two months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petitions are also closed.

19-12-2025

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
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CRL RC Nos. 2057 & 2058 of 20



SUNDER MOHAN, J.

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To
The XXVI Metropolitan Magistrate,
Egmore, Chennai.

CRL RC Nos. 2057 & 2058 of 2025

19-12-2025