



Crl.R.C(MD)Nos.472 & 474 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 30.04.2025

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THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Crl.R.C.(MD).Nos.472 & 474 of 2025

against

Crl.M.P.Nos.5 & 6 of 2025

C.J.Christopher Signi

... Revision Petitioner in
both Crl.RCs.

Vs.

State of Tamil Nadu
Rep by the Inspector of Police,
Vigilance and Anti-Corruption
Police Station,
Kanyakumari District.

...Respondent in
both Crl.RCs.

COMMON PRAYER: Criminal Revision Petitions filed under Section 438 r/w 442 of Cr.P.C., to call for the records relating to the orders, dated 01.02.2025 in Crl.MP Nos.5 & 6 of 2025, on the file of the learned Special Judge/Chief Judicial Magistrate, Nagercoil in Special Case No.2 of 2020, on the file of the learned Chief Judicial Magistrate cum Special Judge, Nagercoil and set aside the same.



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For Petitioner : Mr.V.R.Shanmuganathan
For Respondent : Mr.A.S.Abul Kalam Azad
Government Advocate

COMMON ORDER

Crl.RC(MD) No.472 of 2025 is filed as against the order passed by the learned Special Judge/Chief Judicial Magistrate, Nagercoil, in Crl.MP No.5 of 2025 in Spl.CC No.2 of 2020, dated 01.02.2025, in and by which, the application filed by this revision petitioner to send the sanction order for prosecution in G.O.(Ms) No.17, dated 24.03.2020 issued by PW 1 marked as Ex.P.1, in Spl.CC No.2 of 2020, to Central Forensic Science Laboratory, Hyderabad, for comparing the same with the sanction order produced before this Court in Crl.OP(MD) No.1940 of 2021, was rejected.

2.Crl.RC(MD) No.474 of 2025 is filed as against the order passed by the learned Special Judge/Chief Judicial Magistrate, Nagercoil, in Crl.MP No.6 of 2025 in Spl.CC No.2 of 2020, dated 01.02.2025, in and by which, the application filed by this revision petitioner to send the signature of the accused found in Ex.P.28, confession and M.O.2 (S1) and M.O.3(S2),



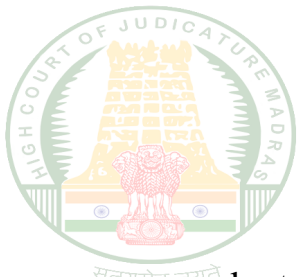
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Solution and the glass bottle), with the admitted and proved signature of the accused, by sending it to Central Forensic Science Laboratory, Hyderabad, was rejected.

3. Since these Criminal Revision Petitions are filed by the same petitioner in connection with Crime No.5 of 2018, on the file of the Vigilance and Anti-Corruption Police Station, Kanyakumari District, these Criminal Revision petitions are heard together and disposed of by this common order.

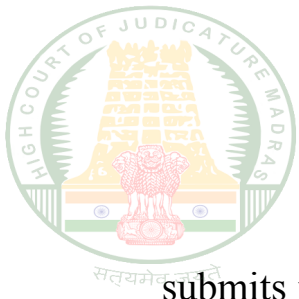
4. The case of the revision petitioner before the trial Court is that the revision petitioner was working as an Electrical Inspector in Energy Department and the defacto complainant, Mr.K.Nagarajan was a contractor. He has applied for a Safety Certificate for the generator installed at M/s. Elim Nets, on 22.09.2018 and for issuance of the certificate, this petitioner has demanded a sum of Rs.10,000/-, as illegal gratification. He has also reduced the amount to Rs.8,000/-. The accused has accepted the amount on 23.11.2018 at about 16.20 hours, which was disclosed on a trap



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conducted by the respondent. Therefore, he was prosecuted for the offence under Sections 7(a) of the Prevention of Corruption Act, 1988, as amended by Act 16/2018) and the case is taken on file in Spl.Case.No.2 of 2020. The petitioner has filed Criminal Original Petition in Crl.OP(MD) Nos.1940 of 2021 and also Criminal Revision Case in Crl.RC(MD) No.410 of 2022 for quashing the case and discharging him from the charges. However, both the petitions have been negatived by this Court, by its order, dated 22.06.2021 and 18.07.2022, respectively, with liberty to the petitioner to raise all the grounds/defence at the time of trial.

5. The learned counsel appearing for the petitioner submits that the signature found in the sanction order for prosecution vide G.O.(Ms) No. 17, dated 24.03.2020 produced before this Court in the application filed by this petitioner in Crl.OP(MD) No.1940 of 2021, to quash the charge sheet in Spl.Case No.2 of 2020, on the file of the Special Court cum Chief Judicial Magistrate Court, Nagercoil is different from the sanction order for prosecution marked before the trial Court as Ex.P1 and therefore, it has to be sent to Forensic Laboratory, Hyderabad. The learned counsel further



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submits that the prosecution has relied on Ex.P28, the confession statement and M.O.2-S1, the solution and M.O.3-S2, the glass bottle to prove the trap. According to the petitioner, they were fabricated and the petitioner has not signed in it and therefore, it requires expert opinion. However, the applications filed by this petitioner in Crl.M.P.Nos.5 and 6 of 2025, before the trial Court, to send the disputed signatures and the materials to Central Forensic Science Laboratory have been dismissed by the trial Court, by a common, order, dated 01.02.2025. Challenging the same, the petitioner is before this Court, with these Criminal Revision petitions.

6. The learned Government Advocate appearing for the respondent submits that totally 17 witnesses have been examined on the side of the prosecution in Spl.Case No.2 of 2020 and the case is posted for defence witnesses. At this stage, the revision petitioner/accused has filed Criminal Miscellaneous Petitions in Cr.M.P.Nos.4,5 & 6 of 2025, under Section 293 of Cr.P.C (Section 45-A of Indian Evidence Act) for sending certain materials and documents to Forensic Laboratory, Hyderabad and those Criminal Miscellaneous Petitions were dismissed by the trial Court,

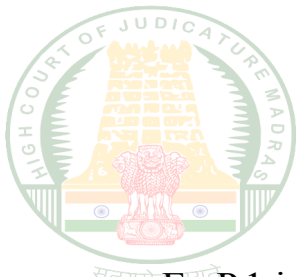


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by its common order, dated 01.02.2025. The learned Government Advocate further submits that considering the overall facts and circumstances of this case, the expert opinion as claimed by the revision petitioner is irrelevant to this issue. According to the learned Government Advocate, the trial Court itself can compare the disputed signature with admitted signature even with naked eyes. Therefore, there is no need to send the documents/materials to Foerensic Laboratory, for expert opinion and these Criminal Revision Petitions are liable to be dismissed.

7.This Court considered the rival submissions made and also perused the materials placed on record.

8.The petitioner/accused in Spl.Case.No.2 of 2020, on the file of the Special Court/Chief Judicial Magistrate Court, Nagercoil has approached this Court that his request for sending certain materials and documents for expert opinion has been rejected by the trial Court. The petitioner claims that the signature found in the sanction order for prosecution in G.O.(Ms) No.17, dated 24.03.2020, which was marked as



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Ex.P.1 is different from the sanction order produced before this Court in the application filed by this petitioner before this Court in Crl.OP(MD) No. 1940 of 2021 to quash the proceedings in Spl.Case No.2 of 2020. Moreover, the petitioner has also disputed his own signature in his confession statement and the material objects M.O.2 and M.O.3.

9.This Court is of the view that, if any difference is found on the signature of the sanctioning authority, it has to be disputed only by the person, who has signed the document. In the event, if the petitioner is taking such a ground, he can very well cross examine the sanctioning authority/PW1. It appears that this petitioner has already done the same and the sanctioning officer/PW1 has also denied the stand taken by the petitioner. Therefore, Crl.RC(MD)No.472 of 2025 is liable to be dismissed.

10.Insofar as Crl.RC.(MD) No.474 of 2025 is concerned, the alleged signatures have been made by the petitioner at the time of trap. When this petitioner has intentionally made the signatures in a different manner, it cannot be taken as a ground that it needs to be compared, when



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the confession has been obtained by the investigating officer in the presence of the shadow witnesses.

11.In view of the foregoing reasons and discussions, these Criminal Revision Petitions are dismissed.

30.04.2025

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
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To

- 1.The Special Judge/Chief Judicial Magistrate, Nagercoil.
- 2.The Section Officer,
Record Section (Criminal),
Madurai Bench of Madras High Court, Madurai.



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B.PUGALENDHI, J.,

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Common Order made in
Crl.R.C.(MD).Nos.472 & 474 of 2025
against
Crl.M.P.Nos.5 & 6 of 2025

30.04.2025