

HONOURABLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION No.14685 OF 2016

ORDER:

This petition is filed challenging the order passed in CrI.M.P.No.567 of 2016 in M.C.No.9 of 2015 dated 29-8-2016 passed by the Judicial Magistrate of First Class, Chilakaluripeta.

Petitioner filed petition under Section 254 (2) Cr.P.C. to receive document i.e., cell phone conversions which are clearly mentioned in the petition to mark the same as exhibit.

The request made by the petitioner is not for receiving cell phone itself but to receive the cell phone conversion.

Section 65-A of Evidence Act permits receipt of contents of electronic records as evidence but subject to Section 65B of Evidence Act.

Here, Section 65B of Evidence Act is not complied, therefore, question of receiving cell phone conversion recorded in cell phone does not arise. The trial court did not dismiss the petition on that ground.

However, I find no merits in view of non-compliance of provisions of Section 65B of Indian Evidence Act to receive the cell phone conversion recorded in cell phone as evidence.

In the result, this Criminal Petition is dismissed.

As a sequel to the disposal of this petition, the Miscellaneous Petitions, if any, pending, shall stand dismissed.

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JUSTICE M.SATYANARAYANA MURTHY

Dated 18-10-2016.

Dvs.

HONOURABLE SRI JUSTICE M.SATYANARAYANA MURTHY



CRIMINAL PETITION No.14685 OF 2016

Dated 18-10-2016.

Dvs