

THE HON'BLE SRI JUSTICE SANJAY KUMAR

CRIMINAL PETITION No.2336 of 2019

ORDER:

The petitioner is the accused in Crime No.195 of 2019 on the file of Madhapur (Guttala) Police Station, Cyberabad Commissionerate, registered under Sections 376 and 506 IPC and Section 3(1), (2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015. By way of this petition filed under Sections 437 & 439 Cr.P.C, he seeks grant of regular bail.

It may be noticed that the petitioner-accused earlier filed CrI.P.No.1775 of 2019 before this Court for the very same relief and the said petition was dismissed by order dated 04.04.2019.

Sri M.V.Hanumantha Rao, learned counsel for the petitioner-accused, would inform this Court that one aspect has not been brought to the notice of this Court on the earlier occasion, viz., that the victim posted videos on the 'Tik Tok' app, and the same would indicate that such videos were uploaded on 11.01.2019. However, learned counsel would fairly concede that the material that he wanted to place before this Court in support of this claim was not received by the office as the CD sought to be filed is not supported by a certificate under Section 65B(4) of the Indian Evidence Act, 1872.

This Court is of the opinion that such material, in any event, cannot be considered by this Court without proper certification as required by law. The further argument of the learned counsel that the delay on the part of the complainant in coming forward would be fatal cannot be considered as this aspect has already been taken into account while dismissing the earlier bail petition, *vide* order dated 04.04.2019.

The learned Assistant Public Prosecutor, State of Telangana, would inform this Court that the investigation is still ongoing.

This Court finds no changed circumstances warranting interference at this stage.

The criminal petition is accordingly dismissed.

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JUSTICE SANJAY KUMAR

Date:01.05.2019

GJ/PGS

