



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Twenty Third day of April Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.6416 of 2015

1 R.SIVARAMAN

2 N.RAJAGOPAL

... PETITIONERS/ACCUSED NO.1 & 2

Vs

STATE REP.BY

THE INSPECTOR OF POLICE

SINDHUPATTI POLICE STATION,

MADURAI DISTRICT.

(CRIME NO. 49 OF 2015)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.T.LAJAPATHI ROY Advocate

For Respondent : MR.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who are arrayed as A-1 and A-2 apprehend arrest at the hands of the respondent police for the alleged offences under Sections 135(1), 139 of Electricity Act, 2003, in Crime No.49 of 2015 and hence, seek anticipatory bail.

2.The case of the prosecution is that the accused have taken electricity directly from the main line and caused loss of Rs.10,93,769/- for the last one year period.

3. The learned counsel for the petitioners submitted that the letter of the Village Administrative Officer, No.26, A.Ammapatti, Thirumangalam, dated 15.04.2015, would show that the Authorities broke open the gate of the Mineral Water Company run by the first accused, so there was no theft of electricity. He further submitted that the Mineral Water Company under the name and style of "Suba Sabari Company" was run by the first accused and the second accused, who is the father of the first accused has been unnecessarily roped in this case.

4. The learned Government Advocate(Crl. Side) on instructions submitted that the Mineral Water Company was run by the first accused and the second accused was working as a Manager in that Company. It is



further submitted that the first petitioner is having three previous cases of similar nature.

5. Considering the above said fact, I am of the opinion that the first petitioner is not entitled for anticipatory bail. Hence, this Criminal Original Petition is dismissed in respect of the first petitioner.

6. However, considering the allegation attributed against the second petitioner, I am inclined to enlarge the second petitioner on anticipatory bail. Accordingly, the second petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Thirumangalam, Madurai District, and on executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the second petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

7. The second petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready failing which, the petition for anticipatory bail stands dismissed.

sd/-
23/04/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE, THIRUMANGALAM, MADURAI DISTRICT.
- 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, MADURAI.
- 3 THE INSPECTOR OF POLICE
SINDHUPATTI POLICE STATION, MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.T.LAJAPATHI ROY Advocate SR.No.21820

<https://hcservices.ecourts.gov.in/hcservices/>

PA/27.04.2015/2P/6C

ORDER IN
CRL OP(MD) No.6416 of 2015
Date :23/04/2015