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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.1171 OF 2018

Raju Chandraiah Macharla

..Applicant

Vs

The State of Maharashtra

..Respondents

Mr. M.K. Kocharekar for applicant.

Mr. M.G. Patil, APP for State.

CORAM : A.S.GADKARI, J.

DATE : 18th June 2018.

P.C.:

1] The applicant is apprehending arrest in CR No.II-65 of 2017 dated 22.8.2017 registered with Narpoli Police Station, Bhiwandi, District-Thane under Section 427 of the Indian Penal Code and under Section 138 of Electricity Act 2003 and Section 3 of Prevention of Damage to the Public Property Act, 1984.

2] Heard the learned Counsel for the applicant and the learned APP. Perused the record.

3] It is the prosecution case that, the applicant by tampering with the electricity meter provided by Torrent Power Company, took illegal

electricity connection and thereby committed theft of electricity. The record indicates that, when the said theft committed by the applicant came into light, he has paid the deficit electricity charges including compounding charges and the said electricity provider Company i.e. Torrent Power Company by its letter dated 13.9.2017 acknowledged the same. The said letter is annexed at page No.17 of the present application. The learned Counsel for the applicant submitted that thereafter the said Company has continued electricity supply to the applicant.

4] In view of the above, this Court is of the opinion that the custodial interrogation of the applicant for further investigation of the present crime is not necessary and the applicant can be granted pre-arrest bail.

Hence, the following Order:-

i] In the event of arrest in CR No.II-65 of 2017 registered with Narpoli Police Station, Bhiwandi, District- Thane, the applicant be released on bail on his furnishing PR bond in the sum of Rs.25,000/- with one or two solvent local sureties in the like amount.

ii] The applicant shall attend the Investigating Officer as and when called for between 11.00 a.m to 1.00 p.m and to join the process of

investigation.

It is needless to mention that, the Investigating Officer shall issue notice to the applicant under Section 160 of Cr. P.C. before calling the applicant to the Police Station.

iii] Applicant shall not tamper with the evidence and/or influence the prosecution witnesses.

5] Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)