

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

WEDNESDAY, THE TENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY ONE

**:PRESENT:
THE HONOURABLE JUSTICE G SRI DEVI
CRIMINAL PETITION NO: 8021 OF 2021**

Between:

1. Chilaka Sathish, S/o. Janaiah, (A1)
2. Md. Feroz, S/o. KhajaBhai, (A2)
3. Sk. Masthan Baba, S/o. Khasim (A3)

Petitioners/Accused No.1 to 3

AND

The State of Telangana, through The State APTS, Khammam, Rep
by Public Prosecutor, Khammam, High Court of Telangana

Respondent/Complainant

Petition under Section 437 & 439 of Cr.P.C, praying that in the circumstances stated in the grounds filed in the Criminal Petition, the High Court may be pleased to enlarge the petitioners/Accused No. 1 to 3 on bail in connection with crime no. 5850 of 2021 on the file of Spl. Sessions Judge for Trial of cases Under Electricity Act-cum-I Addl. Sessions Judge at Khammamand

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of SRI PARSA ANANTH NAGESWAR RAO Advocate for the Petitioner and the Assistant PUBLIC PROSECUTOR for the Respondent, the Court made the following.

ORDER:

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION NO.8021 OF 2021

ORDER:

This Criminal Petition, under Sections 437 and 439 of the Code of Criminal Procedure, 1973, is filed by the petitioners/A-1 to A-3, seeking to grant bail to them in connection with Crime No.5850 of 2021 of P.S. A.P.T.S., Khammam District, registered for the offences punishable under Sections 135, 136, 138, 140 and 150 of the Indian Electricity Act, 2003.

Heard the learned counsel appearing for the petitioners/A-1 to A-3, learned Assistant Public Prosecutor appearing for the respondent State and perused the record.

Learned counsel for the petitioners submits that the petitioners are innocents of the crime alleged and that the police have foisted a false case against them. It is further submitted that the petitioners are in custody since 14.10.2021 and they are willing to abide by any terms and conditions that are imposed by this Court in the event of granting them bail. Hence, it is prayed to enlarge the petitioners/A-1 to A-3 on bail.

Learned Assistant Public Prosecutor appearing for the State has vehemently opposed the petition. However, it has been conceded by the learned Assistant Public Prosecutor that the petitioners are in custody since 14.10.2021.

Out of the assessed amount of Rs.5,05,077/-, the first petitioner has already paid Rs.2,52,635/- on 12.10.2021. The only allegation against the second petitioner is that he has abetted the first petitioner to commit theft of electricity energy and the third petitioner is only a private electrician.

Therefore, looking into the nature of allegations levelled against the petitioners/A-1 to A-3, without delving into the merits of the matter, I am inclined to grant bail to the petitioners/A-1 to A-3.

The Criminal Petition is allowed and the petitioners/A-1 to A-3 are directed to be released on bail, subject to the following terms and conditions:

- (i) The petitioners/A-1 to A-3 shall be released on bail on their executing a personal bond to the tune of Rs.15,000/- (Rupees fifteen thousand only) each with two sureties for a like sum each to the satisfaction of the III Judicial First Class Magistrate at Khammam. However, the first petitioner/A-1 shall deposit the balance assessed amount within two months from the date of his release.
- (ii) The petitioners/A-1 to A-3 shall not be indulged in similar type of offences in future and if it is found that they are indulged in similar type of offences in future, liberty granted to them shall automatically stand cancelled and they would be taken into custody forthwith.
- (iii) The petitioners/A-1 to A-3 shall not interfere with the investigation, intimidate or induce the material witnesses and shall cooperate with the investigating agency.
- (iv) The petitioners/A-1 to A-3 shall not misuse the liberty granted to them.

- (v) The petitioners/A-1 to A-3 shall personally appear before the Court concerned on each date of hearing till conclusion of trial.

Miscellaneous applications, if any, pending shall stand closed.

//TRUE COPY//

SD/- V.SUDHA
ASSISTANT REGISTRAR
Ch
SECTION OFFICER

To,

1. The Spl Sessions Judge for Trial of Cases Under Electricity Act-cum I Additional Sessions Judge at Khammam.
2. The Superintendent Sub Jail, Khammam
3. The Station House Officer, APTS Police Station, Khammam, Khammam District.
4. One CC to SRI. PARSA ANANTH NAGESWAR RAO Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad. [OUT]
6. One Spare copy

HIGH COURT

GSDJ

DATED:10/11/2021

ORDER

CRLP.No.8021 of 2021

BAIL

