

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No. 8633 OF 2021

ORDER:

This Criminal Petition, under Section 438 Cr.P.C., is filed by the petitioner – Accused seeking bail in the event of his arrest in connection with Crime No. 6176 of 2021 of A.P.T.S. Police Station, Mahaboobnagar District, registered for the offences punishable under Section 135(1)(b) of the Electricity Act, 2003.

2. The case of the prosecution is that on 17.09.2020 at 12.19 hours, the officials inspected the electricity supply available in the premises of the petitioner/accused and during inspection, they found load meter is not functioning but there is power supply to the premises and on further inspection they found that the petitioner tapped incoming service wire before the meter by means of a single strand PVC insulated aluminum wires of about 8 meters length and connected to the switch board of the premises and indulged in pilferage of energy by bypassing the meter and thereby, caused loss to TSSPDCL to a tune of Rs.21,280/-.

3. Heard the learned counsel for the petitioners, learned Assistant Government Pleader appearing for the State and perused the material available on record.

4. Learned counsel, Sri L. Harish, appearing for the petitioner submits that the petitioner has been implicated in this case and he has not indulged in any kind of pilferage. He further submits that on 03.12.2021, he has paid an amount of Rs.21,280/- to TSSPDCL and filed a receipt by way of memo before

this Court and hence, his case may be considered for grant of pre-arrest bail.

5. On the other hand, learned Assistant Public Prosecutor submits that this is a second offence of pilferage of energy committed by the petitioner and with regard to the first offence, an amount of Rs.1,000/- was assessed as loss to the TSSPDCL and the said offence has been compounded and hence, he is not entitled for pre-arrest bail.

6. Taking into consideration the fact that the petitioner has paid an amount of Rs.21,280/- to TSSPDCL, this Court deems it appropriate to grant pre-arrest bail to the petitioner/accused.

7. Accordingly, this Criminal Petition is allowed. Petitioner – Accused shall surrender before the Station House Officer, A.P.T.S. Police Station, Mahaboobnagar District, in connection with Crime No. 6176 of 2021 within one week from today and on such surrender and executing a personal bond for Rs.20,000/- (Rupees twenty thousand only) with two sureties for a like sum each to the satisfaction of the said Station House Officer, he shall be released on bail. It is made clear that no further extension of time will be granted.

Miscellaneous applications, if any, pending shall stand closed.

LALITHA KANNEGANTI, J

6th December 2021
RRB