

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.3080 of 2022

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner, who is arrayed as accused, to grant anticipatory bail in the event of his arrest in connection with Crime No.1216 of 2022 of P.S. Vigilance & A.P.T.S., P.S., Mahabubnagar, which was registered for the offence punishable under Section 135 (1) (b) of Electricity Act, 2003.

2. Heard the learned Counsel appearing for the petitioner/accused, and learned Assistant Public Prosecutor appearing for the respondent-State and perused the record.

3. In the F.I.R it is stated that at the time of inspection which was conducted on 16.02.2022 in Rajyasrigarlapadu village of Itikyal Mandal, it is found that that there is electricity supply without meter. It is observed that the petitioner/accused had directly tapped the electricity supply for domestic purpose. The petitioner had by passed the meter with dishonest intention, by

tapping concealed service wire in PVC Pipe and deliberately indulged in theft of energy violating the GTCs of TSSPDCL. Thus the petitioner/accused had involved in theft of energy.

4. Learned Counsel appearing for the petitioner submits that the petitioner is no way connected with the said theft of energy and due to political rivalry between the petitioner's family and local leaders of ruling party, the present case is registered against the petitioner to defame his family in the society. He also submits that the petitioner is ready to abide any condition that may be imposed in the event of his enlargement on anticipatory bail.

5. Learned Assistant Public Prosecutor opposed the petition.

6. Looking into nature of allegations leveled against the petitioner/accused and having regard to the facts and circumstances of the case, without delving into the merits of the case, I am inclined to grant anticipatory bail to the petitioner/accused.

7. The Criminal Petition is accordingly allowed and the petitioner/Accused is granted anticipatory bail subject to the following terms and conditions:

(1) The petitioner/Accused is directed to surrender before the Station House Officer, A.P.T.S. P.S. Mahabubnagar. within a period of (15) days from the date of this order and, on such surrender, the petitioner is directed to be released on bail on his executing a personal bond to the tune of Rs.15,000/- (Rupees fifteen thousand only) with two sureties to the like sum each to his satisfaction.

(2) The petitioner/Accused shall attend before the Investigating Officer on 3rd Saturday of every month and he shall not indulge in similar type of offences. However, if it is found that he is indulged in similar type of offence in future, the liberty granted to the petitioner/accused shall automatically stands cancelled.

(3) The petitioner/accused shall abide by the other conditions stipulated in Section 438(2) Cr.P.C and co-operate with the Investigating Officer in investigating the case.

K.SURENDER,J

11.04.2022

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