

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.9043 OF 2022

O R D E R:

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 seeking pre-arrest bail to the petitioner, who is arrayed as sole accused, in the event of his arrest in Crime No.9314 of 2022 on the file of Station House Officer, Vigilance and APTS Nalgonda Police Station, Nalgonda, registered for the offence punishable under Section 135 of the Electricity Act, 2003.

2. Heard the learned counsel for the petitioner and learned Assistant Public Prosecutor for the respondent-State. Perused the record.

3. Learned counsel for the petitioner/accused would submit that the petitioner is innocent of the offence alleged against him and has been falsely implicated and there is no iota of evidence that the petitioner has committed theft of energy. The petitioner is having fixed abode and there is no question of absconding. It is further submitted that the petitioner/accused is willing to furnish suitable security and abide by any condition, which this Court may deem fit to impose in the event of granting anticipatory bail. Hence, it is prayed that the petitioner/accused be granted anticipatory bail.

4. Learned Assistant Public Prosecutor opposed to grant anticipatory bail to the petitioner/accused.

5. Having regard to the facts and circumstances of the case, without delving into the merits of the case, this Court is inclined to grant anticipatory bail to the petitioner/accused.

6. Accordingly, the Criminal Petition is allowed and the petitioner/accused is granted anticipatory bail subject to the following terms and conditions:

- i) The petitioner/accused is directed to surrender before the Station House Officer, P.S. A.P.T.S., Nalgonda District within 10 days from today, and on such surrender, he shall be enlarged on bail on his executing personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with one surety, to his satisfaction.
- ii) The petitioner/accused shall not indulge in similar type of offences in future.
- iii) The petitioner/accused shall abide by the other conditions stipulated in Section 438(2) Cr.P.C and shall co-operate with the Investigating Officer in investigating the case.

Miscellaneous applications, if any, pending shall stand closed.

K.SURENDER, J

Date :20.10.2022

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Dt.20.10.2022

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