

HON'BLE Dr.JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.10431 of 2022

ORDER:

1. Heard Dr.D.V.Rao, learned counsel for the petitioner as well as the learned Additional Public Prosecutor who is representing the respondent.

2. Seeking pre-arrest bail, the petitioner, who is arrayed as Accused No.1 in Crime No.867 of 2022 of Medchal Police Station, is before this Court.

3. Learned counsel for the petitioner contends that the petitioner has not committed any offences whatsoever. Learned counsel states that the petitioner has vindicated his grievance by giving a legal notice to the Chairman and the Managing Director of Transmission Corporation of Telangana Limited and giving a complaint to the Commissioner of Police, Cyberabad and others about the inaction of TRANSCO. Learned counsel submits that there is no truth in the allegation that the petitioner has removed the base cleats and plates of the tower and even in the complaint, the name of the petitioner is shown as suspect. Learned counsel also states that since long, the petitioner

is fighting for compensation, but he could not get anything and that apart, when an allegation is laid that the material worth Rs.35 lakhs was stolen by an Engineer of TRANSCO, the present complaint is given. Learned counsel by submitting thus, seeks for pre-arrest bail.

4. On the other hand, the submission of the learned Additional Public Prosecutor is that even as per the version of the petitioner, patrolling was periodically conducted by Telangana TRANSCO and during previous inspection, nothing abnormal was found. But on the date of inspection, the concerned authorities found missing of base cleats and plates. Learned Additional Public Prosecutor states that due to the removal of those base cleats and plates, which includes nuts and bolts, in case the high voltage tower had fell, there would have been number of casualties. Learned Additional Public Prosecutor also states that twelve (12) witnesses were examined till now. During the course of submission, it is also brought to the notice of this Court that several Writ Petitions were filed before this High Court with regard to payment of compensation as demanded by the petitioner

herein. It is also stated that since 10 years, there is dispute between the claim of the petitioner on one hand and Telangana State Transco on the other hand.

5. Gone through the entire material that is available on record, including the complaint given by the Assistant Divisional Engineer, Telangana State Transco, the complaint given by the petitioner herein to the Commissioner of Police, Cyberabad and the legal notice issued on behalf of the petitioner to the Chairman and Managing Director, Transmission Corporation of Telangana Limited.

6. Having considered the material available on record and also taking into consideration the submissions made across the Bench, this Court is of the view that the request of the petitioner can be honoured, however, conditionally.

7. Resultantly, the Criminal Petition is allowed with the following conditions:

- (i) The petitioner/Accused No.1 is directed to surrender before the concerned Court within ten (10) days. On such surrender, he shall be enlarged on bail on his executing a personal bond for Rs.50,000/- (Rupees Fifty Thousand only)

with two sureties for like-sum each to the satisfaction of the Court concerned. The sureties are directed to submit their two latest passport size photographs at the time of furnishing solvency. One such photograph is ordered to be pasted in the Surety Register against the name of the surety. The other photograph shall be kept in the case record concerned.

- (ii) The petitioner/Accused No.1 shall report before the Station House Officer, Medchal Police Station, on every Monday between 10.30 a.m. and 12:00 p.m. till filing of final report.
- (iii) The petitioner/Accused No.1 should not involve in any unlawful activity.
- (iv) The petitioner/Accused No.1 should afford all assistance for the proper investigation of the case.
- (v) The petitioner/Accused No.1 should not cause the evidence of the offence disappear.
- (vi) The petitioner/Accused No.1 should not tamper with the evidence in any manner.
- (vii) The petitioner/Accused No.1 should not by way of inducement, threat or promise, dissuade any person who is acquainted with the facts of

the case, from disclosing such facts to the Court or to the Police Officer.

- (viii) In case the petitioner/Accused No.1 holds a passport, he shall surrender the same.
- (ix) The petitioner/Accused No.1 should ensure his presence whenever required by the Court or Police.
- (x) The petitioner/Accused No.1 shall not leave India without previous permission of the court concerned.
- (xi) The petitioner/Accused No.1 shall file an affidavit before the Court concerned disclosing the following particulars:-
 - (1) Contact number
 - (2) Mail address
 - (3) Residential particulars.

In case, there is any change of the aforementioned details, the petitioner shall intimate the court concerned by giving a fresh affidavit duly mentioning the change. He shall continue to do so till filing of the final report.

Any deviation of the above conditions would entitle the respondent to take appropriate steps for cancellation of the pre-arrest bail granted.

Dr. JUSTICE CHILLAKUR SUMALATHA

Date:01.12.2022
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HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.10431 of 2022

Date:01.12.2022

ysk

CIVIL REVISION PETITION No.3578 of 2018

27.12.2021

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