



Crl.O.P.No.4724 of 2023

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**T.V.THAMILSELVI, J.**

The petitioners, who were arrested and remanded to judicial custody on 07.02.2023, for the offences punishable under Sections 379 of IPC r/w 136(1)(a), 137 of Indian Electricity Act, in Crime No.92 of 2023, on file of the respondent police, seek bail.

2. Based on the complaint given by the de-facto complainant, that the accused, by damaging the transformer, has stolen the Copper coils from it, a case in Crime No.92 of 2023 was registered for the offence under Section 379 of IPC. During the course of investigation, the offence was altered to one under Section 379 of IPC r/w Sections 136(1)(a), 137 of Indian Electricity Act.

3. Learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that the 2<sup>nd</sup> petitioner's wife is running a proprietorship



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company named Shobana Traders, which indulged in trading the materials like scraps, copper etc. and the first petitioner is working in the said company. He further submitted that the petitioners, without knowing the fact that the property was a stolen property, they have purchased the same from the other accused, thereby, they are no way connected with the alleged offence. He also stated that the petitioners are in custody from 07.02.2023 and they are ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the petitioners.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioners, who are arrayed as A5 & A6, have purchased the Copper Coils, which were stolen by other accused, from the transformer, belongs to the TANGEDCO, for a valuable consideration. He further submitted that the accused 1 to 4 were arrested and they were in judicial custody. Therefore, he vehemently opposed to grant bail to the petitioners.



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5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent and perused the entire materials available on record.

6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned Government Advocate (Crl.Side) and also considering the gravity and nature of the offence, no recovery was made, this Court finds that this case needs a detailed investigation. Therefore, this Court is not inclined to grant bail to the petitioners.

7. Accordingly, this Criminal Original Petition stands dismissed.

**02.03.2023**

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