

THE HON'BLE SRI JUSTICE A. SANTHOSH REDDY

CRIMINAL PETITION No.3848 of 2023

ORDER:

This Criminal Petition under Section 438 Cr.P.C. is filed by petitioner – accused in Crime No.5435 of 2022 on the file of A.P.T.S, Mahaboobnagar, Mahaboobnagar District, registered for the offence punishable under Section 135 (1) (a) Electricity Act, 2003, seeking anticipatory bail.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent-State.

3. Learned counsel for the petitioner/accused submits that the petitioner has not committed any offence as alleged in the complaint.

4. Learned Additional Public Prosecutor submits that the petitioner has earlier also committed the similar offence and the said offence was compounded by paying an amount of Rs.4,000/-. It is submitted that this being the second bail

application with no changed circumstances, the petition has to be dismissed.

5. The allegations in the complaint disclosed that the petitioner has directly tapped the electricity supply by connecting to main switchboard and committed theft of energy worth Rs.2,737/-.

6. On perusal of the allegations made in the complaint, prima facie, it appears that only based on the previous complaint that has been compounded, he is again implicated in the offence.

7. In view of the said facts and circumstances and considering the submissions of the learned counsel for the petitioner as well as the learned Additional Public prosecutor, I am inclined to allow the petition, on certain conditions.

8. The Criminal Petition is allowed subject to the following conditions:

- (i) The petitioner-accused shall surrender before the Judicial Magistrate of First Class, Wanaparthy, within

a period of two weeks from the date of receipt of a copy of this order;

- (ii) On such surrender, the learned Magistrate shall release the petitioner-accused on bail on his executing a personal bond for a sum of Rs.10,000/- (Rupees Ten thousand only) with two sureties for a like sum each to the satisfaction of the learned Magistrate.

A. SANTHOSH REDDY, J

4th May, 2023
gvl/pld