



Crl.O.P.No.7600 of 2024

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T.V.THAMILSELVI,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 379 of IPC r/w Section 135(1)(b) of Electricity Act, 2003 in Crime No.42 of 2024, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that on 28.02.2024, it was alleged that upon joint inspection of Electricity Connection No.328/011-1189, it was found that there was meter by pass in the existing electricity connection due to unauthorized use of electricity, for which, the Tamil Nadu Generation and Distribution Corporation suffered loss of Rs.3,28,132/-. The above said electricity connection is under the name of the petitioner, who refused to sign in the inspection report or pay the compensation amount. Hence, the complaint.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and the said electricity connection belong to



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petitioner's uncle named Ramasamy, he has been falsely implicated in this case. He further submits that the defacto complainant has never issued any show cause notice to the petitioner with regard to the electricity usage. He further submits that he is ready to abide by any conditions that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioner was found meter by passing in the electricity connection for the unauthorized usage of electricity. He further submits that the petitioner was refused to pay the compensation of Rs.3,28,132/- to the Tamil Nadu Generation and Distribution Corporation. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioner.

5. Taking into consideration the facts of the case and the submissions made by the learned counsels, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the *learned Judicial Magistrate No.II, Jayankondam* on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties, for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a)the petitioner is directed to deposit a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** to the credit of the **Advocate Clerk Association, Ariyalur District**, within a period of two weeks from the date of receipt of a copy of this order and shall produce the said receipt before the Court below.

(b)the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[c] the petitioner shall report before the respondent police daily at 10.30 a.m, for a period of eight weeks;



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[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall not abscond either during investigation or trial;

[f] on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions has been imposed and the petitioner is released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]***; and;

[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

04.04.2024

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