



Crl.O.P.No.19472 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2024

CORAM

**THE HON'BLE MR. JUSTICE P.DHANABAL**

Crl.O.P.No.19472 of 2024

Johnmanoj

...Petitioner/Accused - 4

Vs.

State represented by,  
Station House Officer,  
Tiruvonnainallur Police Station,  
Villupram District.  
(Crime No.66 of 2024)

...Respondent/Complainant

**PRAYER:** Criminal Original Petition filed under Section 483 of BNSS, 2023, praying to enlarge the petitioner on bail in Crime No.66 of 2024 on the file of respondent police.

For Petitioner : Mr.G.Saravanabhavan

For Respondent : Mr.S.Vinothkumar  
Government Advocate (Crl. Side)

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### **ORDER**

The petitioner, who was arrested and remanded to judicial custody on 25.06.2024 for the offence under Section 379 of the IPC r/w Section 136(1)(a) of the Electricity Act, 2003, in Crime No.66 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner/A4 broke the transmission at Anathur 100KVA/22KVA and stole copper coil worth about Rs.1,65,365/- from the Tamil Nadu Electricity Board (TNEB). Hence, the case.

3. Learned counsel for the petitioner/A4 submitted that the petitioner has not committed any offence as alleged by the prosecution, and he has been falsely implicated in this case. He further submitted that there are four accused in this case, and the co-accused in this case had already been granted bail by this Court. He further submitted that the petitioner has been in custody for more than 45 days; that he is ready to obey the conditions imposed by this Court and produce substantial sureties for his due release on bail. Hence, he prays for the grant of bail to



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the petitioner.

4. Learned Government Advocate (Crl.Side) for the respondent police submitted that there are totally four accused in this case; the petitioner is arrayed as the fourth accused, and he further submitted that the co-accused had been granted bail by this Court. However, he vehemently objected to granting bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the submissions made on both sides, the nature of offence, the co-accused were granted bail by this Court, and also taking into consideration the period of incarceration undergone by the petitioner/A4, this Court is inclined to grant bail to the petitioner with certain conditions:

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties, each for a like sum to the satisfaction of the learned *District Munsif cum Judicial Magistrate at Thiruvannainallur*,



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and on further conditions that:

- [a] the petitioner shall report before the respondent police, everyday at 10.30 a.m. until further orders;**
- [b] the petitioner shall not abscond either during investigation or trial;
- [c] the petitioner shall not tamper with evidence or witness either during investigation or trial;
- [d] 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 have been imposed and the petitioner 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];
- [e] if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of the BNS.

**13.08.2024**

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To

1. The District Munsif cum Judicial Magistrate,



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- Thiruvennainallur.
2. Central Prison, Cuddalore.
  3. The Station House Officer,  
Tiruvennainallur Police Station,  
Villupram District.
  4. The Public Prosecutor,  
High Court of Madras.

**P.DHANABAL, J.**



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