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CRL OP No. 10706 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 10706 of 2025

1. KARUNAMOORTHY

S/o.Marappan, 3/3, Ramiyanahalli Village and
post, Pappireddipatty Taluk, Dharmapuri District.

Petitioner(s)

Vs

1. The State by

Sub-Inspector of Police (SHO)

Gobinathampatty Police Station,

Pappireddipatti, Dharmapuri District. Tamil

Nadu, 636 905. Crime No.154/2024

Respondent(s)

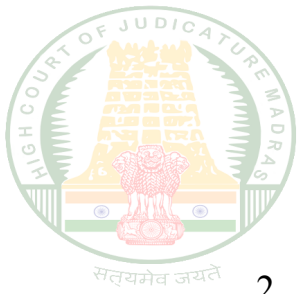
PRAYER To enlarge the petitioner on bail in the event of his arrest by the Respondent Police in Crime No.154/2024 and may pass any other further necessary order(s) as this Honble Court may deem fit and thus render justice.

For Petitioner(s): Ramprakash Rajagopal

For Respondent(s): Mr.S.Balaji, Government Advocate (Crl.side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 135(1)(a) of the Electricity Act 2003, in Crime No.154 of 2024, seeks anticipatory bail.



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2. The case of the prosecution is that the petitioner at the first instance had committed theft of Electricity worth about Rs.13,60,990/-, and a compounding fee was fixed at Rs.1,50,000/-, out of which, the petitioner only paid a sum of Rs.5,000/-; and that subsequently, the petitioner had once again committed theft of Electricity to the tune of Rs.44,11,431/- causing substantial financial loss to the Electricity Department. Hence, the case.

3. The learned counsel for the petitioner would submit that the allegations are false; that the petitioner had not committed theft of electricity and has been falsely implicated in this case; and that the petitioner is ready to abide by any stringent condition that may be imposed by this Court and prayed for anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and submitted that the petitioner had caused loss to a tune of Rs.57,67,421/- to the defacto complainant.



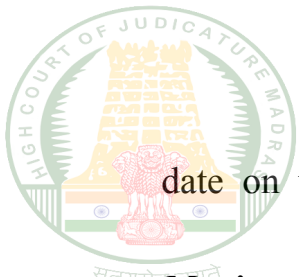
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5. At this juncture, the learned counsel for the petitioner submitted that the petitioner, without prejudice to his defence and contentions, is ready and willing to deposit a sum of Rs.25,00,000/- (Rupees Twenty Five Lakhs Only) to the credit of crime number and the petitioner would also file an undertaking affidavit to that effect before the trial Court and prayed for grant of anticipatory bail to the petitioner.

6. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

7. Considering the nature of allegations, and the voluntary submission made by the petitioner, this Court is of the view that custodial interrogation of the petitioner is not required for the purpose of investigation. Hence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

8. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the



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date on which the order copy is made ready, before the ***Learned Judicial Magistrate, Pappireddypatti, Dharmapuri District***, on condition that the

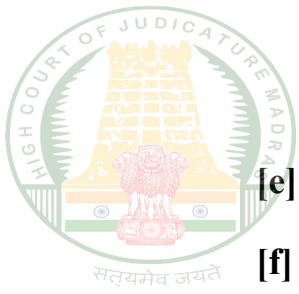
petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further conditions that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.

[c] the petitioner shall deposit a sum of Rs.25,00,000/- (Rupees Twenty Five Lakhs only) to the credit of Crime No.154 of 2024, within a period of eight weeks from the date on which the order copy made ready, failing which anticipatory bail granted by this Court shall stands automatically cancelled. The petitioner shall file an undertaking affidavit to that effect before the learned Magistrate at the time of surrender and execution of sureties.

[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 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]**;

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

23-04-2025

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



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SUNDER MOHAN J.

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To

1. The State by

Sub-Inspector of Police (SHO) Gobinathampatty Police Station,
Pappireddipatti, Dharmapuri District. Tamil Nadu, 636 905.

2. The Judicial Magistrate,

Pappireddypatti,
Dharmapuri District.

3. The Public Prosecutor,

High Court of Madras,
Madras.

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