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Crl.O.P.No.13159 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.05.2026

CORAM

THE HON'BLE MR. JUSTICE R.SAKTHIVEL

Crl.O.P.No.13159 of 2026

Selvam,
S/o. Poongavanam

... Petitioner/Accused

Vs.

State rep. by,
Inspector of Police,
Gingee Police Station,
Tindivanam Taluk,
Villupuram District.
(Crime No.225 of 2026)

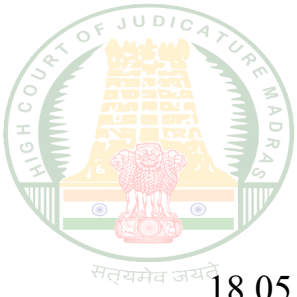
... Respondent/Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 praying to enlarge the petitioner on anticipatory bail in the event of his arrest in Crime No.225 of 2026 on the file of the respondent police.

For Petitioner : Mr. G. Tamil Selvan

For Respondent : Mr. A. Gopinath
Government Advocate
(Criminal Side)

ORDER



Crl.O.P.No.13159 Cr 2026

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This Criminal Original Petition has been filed by the petitioner on 18.05.2026 under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 praying to grant an order of pre-arrest bail.

2. The petitioner / Accused, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 135(1) (a), 138 (1) (a) of The Electricity Act, 2003 in Crime No.225 of 2026 on the file of the respondent police.

3. The case of the prosecution is that on 30.04.2026, during surprise inspection by the Assistant Executive Engineer, it was found that the petitioner being the consumer of Agricultural Electricity Service Connection (without meter), had clandestinely diverted water from his agricultural land through PVC pipeline for the purpose of operating a commercial brick manufacturing unit. Hence, the case.

4. Mr. G. Tamil Selvan, learned counsel appearing on behalf of the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the defacto prosecution and he has been falsely implicated in this case. However, he submits that the petitioner is ready



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to abide by any conditions to be imposed by this Court. He would further submit that no previous case is pending against the petitioner. Hence he prayed to grant an order of pre-arrest bail to the petitioner.

5. *Per contra*, Mr. A. Gopinath, the learned Government Advocate (Criminal Side) appearing on behalf of the respondent – Police, submits that the petitioner illegally theft the electricity service connection intended for agricultural use and, by diverting it through a PVC pipeline for the purpose of operating a commercial brick manufacturing unit, and thereby, he committed an offence causing loss to the tune of Rs.3,09,000/-.

6. Heard on both sides. This Court has perused the records.

7. Considering the facts and circumstances of the case, the nature of the alleged offences; and that the petitioner has permanent residence and deep roots in society; there is less possibility of absconding; and there is no previous case against the petitioner, this Court is of the view that the custodial interrogation of the petitioner is not necessary; and with a view to give one more opportunity to reform himself, this Court is inclined to grant pre-arrest bail to the petitioner. Accordingly, pre-arrest bail is granted to the petitioner subject to the following conditions:



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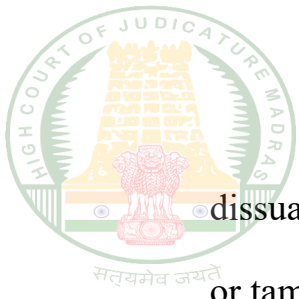
(i) The petitioner shall be released on pre-arrest bail in the event of his arrest or in the event of his surrender before the **learned Judicial Magistrate No.I, Gingee**, within a period of 15 days from the date on which the order copy is made ready, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the **learned Judicial Magistrate No.I, Gingee**.

(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The **learned Judicial Magistrate No.I, Gingee**, shall obtain a copy of any one of their identity proofs to ensure their identity.

(iii) **The petitioner shall appear and sign before the respondent Police, once in a week i.e., on every Monday at 10.00 a.m., until further orders;**

(iv) The petitioner shall make himself available for interrogation by a police officer as and when required.

(v) The petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to



dissuade them from disclosing such facts to the Court or to any police officer or tamper with the evidence.

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(vi) The petitioner shall also not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence.

(vii) The petitioner shall furnish their residential address and mobile number to the learned Judicial Magistrate No.I, Gingee.

(viii) On breach of any of the aforementioned conditions, the learned Judicial Magistrate No.I, Gingee, or Trial Court, as the case may be, is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by them as laid down by the Hon'ble Supreme Court in *P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283]*.

8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

21.05.2026

Index : Yes/No
Internet : Yes/No
Neutral citation : Yes/No



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Note:-

- 1. Registry is directed to forthwith upload this order in the official website of this Court.**
- 2. All concerned to act on this order being uploaded in official website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this Court will be watermarked and will also have a QR code.**

To

1. The Judicial Magistrate No.I,
Gingee.
2. The Inspector of Police,
Gingee Police Station,
Tindivanam Taluk,
Villupuram District.
3. The Public Prosecutor,
High Court of Madras.



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R.SAKTHIVEL, J.

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