

IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE,
PERAMBALUR, STATE OF TAMILNADU.

Present: Thiru.V.Padmanabhan, M.A., M.L., D.H.,
Principal District and Sessions Judge.

Saturday, this the 7th day of March, 2026.

Crl.M.P.No.239/2026
(CNR No.TNPB01-000381-2026)

Kannan, 57/2026, (A1),
S/o. Maruthai Gounder @ Maruthai.

...Petitioner/Accused.

-vs-

State rep. by
the Sub Inspector of Police,
Arumbavoor P.S.
Crime No.46/2026.

... Respondent/Complainant.

Petition dated 26.02.2026 through e-filed U/s.483 of BNSS prays to grant bail.

This petition coming on this day before me for order in the presence of Thiru.M.Rajkumar, Advocate for the petitioner and the Public Prosecutor for the State and upon hearing both sides, this Court has delivered the following...

ORDER

The petitioner/accused seeks bail for the alleged offences U/S.105 of BNS r/w 135(i)(a) and 135(i)(e) of Indian Electricity Act.

2. The prosecution case is that on 06.02.2026, the defacto complainant's husband fell into an electric fence with his two wheeler in a field belongs to the accused persons and died due to electrocution.

3. The learned Counsel appearing for the petitioner/accused would submit that the petitioner is in judicial custody from 07.02.2026; that the

petitioner did not involve in this case incident as alleged by prosecution; there is a previous enmity between the petitioner and the deceased and false complaint was preferred; the petitioner did not form electric fence; the deceased was brought from another location and the body was dumped in the petitioner's field; it is a 3rd bail application; that if he is released on bail he will abide the conditions of this Court and that he may be released on bail.

4. On the other hand, the learned Public Prosecutor contended that the petitioner/accused illegally erected electric fence by committing electricity theft and as a result one person died; that investigation is pending; if he is released on bail, he will commit the similar offence again and he will abscond and that the petition may be dismissed.

5. Upon hearing the both side arguments, as per the FIR contents, it is seen that at the time of alleged incident, the accused persons allegedly involved in illegal electricity theft and formed electric fence. During argument hearing the learned counsel for the petitioner specifically contended that the petitioner is in judicial custody for about 30 days. It is fairly conceded on prosecution that, no any previous case is reported against the petitioner.

Even though earlier bail applications were dismissed for the reasons prevailing at that circumstances, now as a change of circumstances, considering the remand period, during the remand period, there is a possibility of completion of substantial portion of investigation and in the interest of justice, this Court is inclined to release the petitioner on bail on the following conditions;.

(i) the petitioner/accused is ordered to be released on bail on executing 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 **learned District Munsif cum Judicial Magistrate, Veppanthattai;**

(ii) 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;

(iii) the petitioner/accused shall appear and sign before the **respondent police, daily at 10.00 a.m for 30 days;**

(iv) the petitioner/accused shall not tamper with evidence or witness either during investigation or trial.

(v) the petitioner/accused shall not abscond either during investigation or trial.

(vi) 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].

(vii) If the accused thereafter absconds, a fresh FIR can be registered U/S.269 of BNS.

Pronounced by me in open Court, this the 7th day of March, 2026.

Principal District & Sessions Judge,
Perambalur.