



Crl.OP.No.22179 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner, who apprehends arrest for the alleged offences under Sections 188 and 406 of IPC in Crime No.138 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.It is the case of the prosecution that a complaint had been lodged stating that the petitioner had sought permission with the Tambaram Commissionarte to conduct a music concert of A.R.Rahman in the name of Marakkuma Nenjam on 12.08.2023 at Panaiyur Adithya Ram ground.

3.It is stated that the petitioner herein had been granted permission for sale of a certain number of tickets and the petitioner herein probably out of over zealousness, had sold more than the allotted number of tickets. This caused traffic jam in the area and much public nuisance. Owing to this, the FIR had been registered.

4.The matter has been coming up before this Court on several earlier occasions. Taking all the factors into consideration, though the petitioner had sold tickets in excess, there could be probable a reason since the show had been canceled on the first time and those who had already purchased tickets would also have come over and fresh tickets would have also been sold, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. 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



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from the date on which the order copy made ready, before the learned Judicial Magistrate No.II, Alandur, on condition that the petitioner shall execute 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 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 condition 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., for a period of two weeks and thereafter, as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] 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]**.



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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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