

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 12TH DAY OF JUNE 2015/22ND JYASHTA, 1937

Bail Appl..No.3085 of 2015

CRIME NO.417/2015 OF CHITTAR POLICE STATION,PATHANAMTITTA.

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PETITIONER/ACCUSED NO.1:

**AJITH G.NAIR @ AJITHKUMAR,AGED 42 YEARS,
S/O.GOVINDAN NAIR,MUKKATTU HOUSE,
VEROOR P.O,VAZHAPPALLY VILLAGE,
CHANGANACHERRY,KOTTAYAM DISTRICT.**

BY ADV.SRI.NIREESH MATHEW

RESPONDENT:

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.JUSTIN JACOB

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 12-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

pk

K. ABRAHAM MATHEW, J.

Bail Appl. No.3085 of 2015

Dated this the 12th day of June 2015

O R D E R

Petition filed under Sec.438 Cr.P.C.

2. Petitioner is the 1st accused in Crime No.417 of 2015 of Chittar Police station. He is alleged to have committed the offences under Secs.141, 143, 147, 294(b), and 353 read with Sec.149 of Indian Penal Code. The prosecution case is that the petitioner and others were engaged in gambling in the premises of a school where a festival was going on. When the police officers attempted to stop it, they obstructed them and prevented them from discharging their duties.

3. Heard both sides.

4. It is doubtful whether the alleged acts of the accused would amount to an offence under the Gaming Act. There is no case that the Police officer sustained any injuries. Custodial interrogation of the petitioner is not necessary for effective investigation. So I am inclined to grant the prayer of the petitioner.

In the result, this bail application is allowed.

1) The petitioner shall be released on bail after interrogation on his executing a bond for Rs.25,000/- (Rupees Twenty five thousand only) with two solvent sureties each for the like sum if he is arrested by the Police in connection with this case.

2) He shall appear before the Investigating Officer for interrogation if he is so required by him in writing.

4) He shall not destroy or tamper with evidence.

5) He shall not intimidate or attempt to influence the witnesses.

6) He shall not get himself involved in any other criminal case.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with the law.

K. ABRAHAM MATHEW
JUDGE