

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE AG.CHIEF JUSTICE MR.ASHOK BHUSHAN  
&

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

MONDAY, THE 9TH DAY OF FEBRUARY 2015/20TH MAGHA, 1936

WP(C).No. 4032 of 2015 (D)  
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PETITIONER(S) :-  
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1. MANU SANKAR, SARANYA, KARIPPOOR P O, NEDUMANGAD  
THIRUVANANTHAPURAM
2. JYOTHI SANKAR, SARANYA, KARIPPOOR P O, NEDUMANGAD  
THIRUVANANTHAPURAM
3. SOORAJ S R, MANGALATHU VEEDU, KARIPPOOR P O, NEDUMANGAD  
THIRUVANANTHAPURAM

BY ADV. SRI.S.MANU

RESPONDENTS :-  
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1. STATE OF KERALA REP BY SECRETARY, HOME DEPARTMENT, GOVT SECRETARIAT  
THIRUVANANTHAPURAM-695001
2. THE DISTRICT POLICE CHIEF, THIRUVANANTHAPURAM RURAL, VIKAS BHAVAN  
THIRUVANANTHAPURAM-695001
3. THE CIRCLE INSPECTOR OF POLICE  
NEDUMANGAD , THIRUVANANTHAPURAM-695541
4. THE SUB INSPECTOR OF POLICE  
VALIYAMALA POLICE STATION, THIRUVANANTHAPURAM-695547
5. VISHNU, S/O. ANI, VADAKKUMKARA HOUSE, ARUVIKKUZHY  
KARIPPOOR P O, NEDUMANGAD, PIN-695541
6. JITHIN, S/O.TITUS, KAMALAVILASAM, PARANDAKKADU  
KARIPPOOR P O, NEDUMANGAD, PIN-695541
7. KIRAN, S/O.AJAYAN, A K G BHAVAN, KADUVILA  
KARIPPOOR P O, NEDUMANGAD , PIN-695541
8. AKSHAY, S/O.SHAILAJA, SHAILAJA MANDIRAM, UZHAPPAKANAM  
KARIPPOOR P O, NEDUMANGAD, PIN-695541

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9. ANANTHU, S/O.GOPALAN, MEKKUMKARA HOUSE, NEDUMANOOR P O  
NEDUMANGAD, PIN-695541
10. STEPHIN, S/O.TITUS, KAMALAVILASAM, KARIPPOOR P O  
NEDUMANGAD, PIN-695541
11. ARUN, S/O.AJAYAN, A K G BHAVANAM KALLUVILA, KARIPPOOR P O  
NEDUMANGAD, PIN-695541

R1 TO R4 BY STATE ATTORNEY SRI.P.VIJAYARAGHAVAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 09-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

jvt

APPENDIX

PETITIONER(S) ' EXHIBITS :-

P1:- TRUE COPY OF THE DISCHARGE SUMMARY OF THE 1ST PETITIONER.

P2:- TRUE COPY OF THE DISCHARGE SUMMARY OF THE 2ND PETITIONER.

P3:- TRUE COPY OF THE NEWS ITEM PUBLISHED BY MALAYALA MANORAMA DAILY IN ITS  
ISSUE DTD 2/2/2015.

P3(a):- TRUE COPY OF THE TRANSLATION OF EXT P3.

P4:- TRUE COPY OF THE PETITION SUBMITTED TO THE 3RD RESPONDENT.

P4(a):- TRUE COPY OF THE TRANSLATION OF EXT P4.

RESPONDENT(S) ' EXHIBITS :- NIL

//TRUE COPY//

P.A. TO JUDGE

**ASHOK BHUSHAN, Ag. C.J &  
A.M. SHAFFIQUE, J.**

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**W.P.(C) No.4032 of 2015**  
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**Dated this the 9<sup>th</sup> day of February 2015**

**J U D G M E N T**

**Shaffique, J.**

Heard the learned counsel for the petitioners and the learned Government Pleader.

2. In view of the nature of order being passed in the writ petition, no notice is required to be served on respondent Nos.5 to 11.

3. The petitioners are residing at Karippoor, Nedumangad. First petitioner is a student of Government College, Kariavattom doing his M.Sc (Physics). 2<sup>nd</sup> petitioner is a B.Tech graduate employed as Senior Grade Assistant in General Administration Department in Secretariat. 3<sup>rd</sup> petitioner is an LLB student of Law Academy Law College. They were attacked by respondents 5 to 11 on 23.1.2015. They suffered serious injuries as well. The police had registered a crime as Crime No.38 of 2015 of Valiyamala Police Station for offences punishable under Secs.143, 147, 148, 294(b), 341, 451,

-: 2 :-

326, 395 and 307 r/w 149 of IPC. But still, respondents 5 to 11, who are the members of a 'gunda gang' are threatening the petitioners and their family members and they were put under the fear of loss of life unless they leave the place with their family members. It is stated that the incident had happened when the 3<sup>rd</sup> petitioner warned the 7<sup>th</sup> respondent against teasing his 16 year old sister, who is a plus one student.

4. Learned Government Pleader on instructions would submit that after registering the crime, respondents 7 and 8 were arrested and they were enlarged on bail. Other respondents are absconding and the police is trying to apprehend them and to complete the investigation as early as possible.

5. Having regard to the nature of averments made in the writ petition and after hearing the submission of the learned Government Pleader, we are of the view that it is a fit case in which the police has to be very much vigilant on the activities of respondents 5 to 11 and they should not be permitted to commit any act of violence on the petitioners. Under such circumstances, respondents 3 and 4 have to keep a constant vigil on the activities of respondents 5 to 11 and take

-: 3 :-

appropriate action as and when required.

Accordingly, the Writ Petition is disposed of as under :-

Respondents 2 and 3 shall ensure that sufficient police protection is granted to the petitioners and their family members as and when required.

**Sd/-**  
**ASHOK BHUSHAN**  
**Ag. CHIEF JUSTICE**

**Sd/-**  
**A.M. SHAFFIQUE**  
**JUDGE**