

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

FRIDAY, THE 6TH DAY OF MARCH 2015/15TH PHALGUNA, 1936

WP(C) .No. 5648 of 2015 (E)

PETITIONER(S) :

PRADEEP AGED 37 YEARS
S/O.VELAPPAN, PARAYIL, WARD-10
PERUMBALAM POST, CHERTHALA, ALAPPUZHA.

BY ADV. SRI.A.C.DEVY

RESPONDENT(S) :

1. SUB INSPECTOR OF POLICE
POOCHAKKAL, CHERTHALA, ALAPPUZHA DISTRICT-688524.

2. CIRCLE INSPECTOR OF POLICE
CHERTHALA, ALAPPUZHA DISTRICT-688524.

3. DYSP,
CHERTHALA, ALAPPUZHA DISTRICT-688524.

4. PREM,
S/O.VELAPPAN, PARAYIL, WARD-10
PERUMBALAM POST, CHERTHALA, ALAPPUZHA-688570.

5. DIRECTOR GENERAL OF POLICE
THIRUVANANTHAPURAM-695001.

R1 TO R3 & R5 BY SR.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
06-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) .No. 5648 of 2015 (E)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXHIBIT-P1: TRUE PHOTOGRAPHS OF THE DEMOLISHED HOUSE OF THE PETITIONER.

EXHIBIT-P2: TRUE COPY OF THE PETITION FILED BEFORE JFCM NO.2 CHERTHALA AND ITS TRUE TRANSLATION.

EXHIBIT-P3: TRUE COPY OF THE COMPLAINT FILED BEFORE DGP, TRIVANDRUM AND ITS TRUE TRANSLATION.

RESPONDENT(S) ' EXHIBITS

NIL

/TRUE COPY/

PS TO JUDGE

ASHOK BHUSHAN, Ag.CJ & A.M.SHAFFIQUE, J

W.P(C).No. 5648 of 2015

Dated this the 6th March, 2015

JUDGMENT

Ashok Bhushan, Ag, CJ.

Heard learned counsel for the petitioner and the learned Government Pleader. No notice is being issued to the fourth respondent, in view of the order, which is being passed.

2. This Writ Petition has been filed by the petitioner alleging police harassment. The fourth respondent is the elder brother of the petitioner. Allegations have been made that the fourth respondent is a lunatic and has attacked the petitioner's father and mother and destroyed the house. The petitioner's grievance is that the Police have not registered any crime and they are threatening the petitioner to implicate the petitioner in criminal cases.

3. The learned Government Pleader, after obtaining instruction, submitted that two crimes have already been

registered against the fourth respondent and they have been charge sheeted. It is further submitted that the fourth respondent is under counseling offered by several voluntary organisations, who have also helped for reconstruction of the house. It is submitted that the Police have never threatened the petitioner, nor any case has been registered against him.

4. Considering the facts of the present case, we are of the view that present is not a case of police harassment. Since two crimes have already been registered against the fourth respondent and the same has been charge sheeted, we cannot accept the petitioner's case that no action is being taken against the fourth respondent. We do not think that there is any police harassment as alleged by the petitioner. The Writ Petition is accordingly dismissed.

**ASHOK BHUSHAN
ACTING CHIEF JUSTICE**

**A.M.SHAFFIQUE
JUDGE**