

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

WEDNESDAY, THE 11TH DAY OF MARCH 2015/20TH PHALGUNA, 1936

WP(C).No. 7773 of 2015 (V)

PETITIONER :-

SEBASTIAN, AGED 55 YEARS
S/O. VINCENT, AGNES BHAVAN, NEENDAKARA
KOLLAM.

BY ADV. SRI.ARUN BABU

RESPONDENTS :-

1. COMMISSIONER OF POLICE
OFFICE OF THE COMMISSIONER OF POLICE, KOLLAM-691001.
2. ASSISTANT COMMISSIONER OF POLICE
OFFICE OF ACP, KOLLAM-691001.
3. THE CIRCLE INSPECTOR OF POLICE
CHAVARA POLICE STATION, KOLLAM DISTRICT-691583.
4. THE SUB INSPECTOR OF POLICE
CHAVARA POLICE STATION, KOLLAM DISTRICT-691583.
5. JOHN CRISTOPHER, AGED 40 YEARS
S/O. CRISTOPHER, STEPHEN LAND NEENDAKARA P.O.
KOLLAM-691582.
6. BINU, AGED 32 YEARS, S/O. JOHN, VICTOR BHAVAN, NEELESWARAM THOPPU
NEENDAKARA P.O., KOLLAM-691505.
7. VIPIN, AGED 26 YEARS, S/O.VICTOR, VINCY BHAVANAM, NEELESWARAM THOPPU
KOLLAM-691505.
8. VICTOR , AGED 55 YEARS, S/O.JAMES, VICTOR BHAVANAM, NEELESWARAM
KOLLAM-691505.

R1 TO R4 BY STATE ATTORNEY SRI.P.VIJAYARAGHAVAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 11-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) ' EXHIBITS :-

EXHIBIT P1- THE TRUE COPY OF THE FIR 2013/2014 OF CHAVARA POLICE STATION DATED 25-08-14.

EXHIBIT P1(a)- THE TRUE COPY ENGLISH TRANSLATION OF RELEVANT PORTION OF EXHIBIT P1.

EXHIBIT P2- THE TRUE COPY OF THE FIR IN CRIME 331/2015 OF CHAVARA POLICE STATION.

EXHIBIT P2(a)- THE TRUE COPY OF THE ENGLISH TRANSLATION OF RELEVANT PORTION OF EXHIBIT P2.

EXHIBIT P3- THE TRUE COPY OF THE REPRESENTATION SUBMITTED TO THE 1ST RESPONDENT ALONG WITH THE ACKNOWLEDGMENT CARD.

EXHIBIT P3(a)- THE TRUE ENGLISH TRANSLATION OF EXHIBIT P3.

RESPONDENT(S) ' EXHIBITS :- NIL

//TRUE COPY//

P.A. TO JUDGE

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

W.P.(C) No.7773 of 2015

Dated this the 11th day of March 2015

J U D G M E N T

Shaffique, J.

The petitioner has approached this Court complaining of the inaction on the part of the police in providing adequate protection despite complaints having been submitted by him against private respondents.

2. It is alleged that the private respondents along with certain other persons trespassed into the property of the petitioner and manhandled him and his son. Two crimes had been registered by the police, but no action has been taken to apprehend the accused and the investigation is going on in a slow manner. That apart, the petitioner apprehends that the accused persons will again attack him and his family members and therefore, he has given a complaint to the police, in which, no action has been taken.

3. Learned State Attorney on instructions would submit that the crimes are under investigation. No arrest had been made since the accused are absconding. However, the investigation is

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proceeding further. In regard to the threat to the life of the petitioner and his family members, no such complaint has been made by him.

4. The learned counsel for the petitioner submits that the private respondents have called the petitioner for a settlement and they wanted the petitioner to withdraw the cases. Therefore, he apprehends that if the cases are not withdrawn, the private respondents along with their men will again attack him and his family members.

5. Having regard to the aforesaid factual situation, we are of the view that if there is any offence being committed or attempt to commit offence, on the complaint of the petitioner, respondents 3 and 4 shall look into the matter and do the needful to render adequate protection to the petitioner. In regard to the crimes, the police shall conduct appropriate investigation in the matter and dispose of the same in accordance with law.

This writ petition is disposed of as above.

Sd/-
ASHOK BHUSHAN
Ag. CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE
JUDGE