

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 23RD DAY OF MARCH 2015/2ND CHAITHRA, 1937

WP(C).No. 9091 of 2015 (J)

PETITIONER(S) :-

1. MINU ANTONY, AGED 33 YEARS
S/O.LATE ANTONY, KALATHIL HOUSE, SOUTH CHITTOOR P.O
ERNAKULAM DISTRICT, PIN 682 027
2. THANKAMMA ANTONY, AGED 62 YEARS
W/O.LATE ANTONY, KALATHIL HOUSE, SOUTH CHITTOOR P.O
ERNAKULAM DISTRICT, PIN 682 027

BY ADVS.SRI.BABU CHERUKARA
SRI.SEVI VARGHESE
SRI.P.A.SALIM
SRI.ANZAR BASHEER
SRI.PRATHEUSH.M.ANAND
SRI.P.ANTO THOMAS

RESPONDENT(S) :-

1. RATHEESH ANTONY @ S.A.RATHEESH, AGED 34 YEARS
S/O.ANTONY, SHEVELIL HOUSE, SOUTH CHITTOOR P.O
ERNAKULAM DISTRICT, PIN 682 027
2. SUB INSPECTOR OF POLICE
CHERANALLOOR POLICE STATION
ERNAKULAM DISTRICT, PIN 682 027
3. THE CITY POLICE COMMISSIONER,
ERNAKULAM, COCHIN 682 011
4. STATE OF KERALA REPRESENTED BY THE SECRETARY, HOME DEPARTMENT
SECRETARIAT, TRIVANDRUM PIN 695 001

R2 TO R4 BY SR.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 23-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 9091 of 2015 (J)

APPENDIX

PETITIONER(S) ' EXHIBITS :-

EXHIBIT P1 TRUE COPY OF THE CHEQUE BEARING NO 093642 DATED 2-3-2015 DRAWN ON SOUTH INDIAN BANK LTD, PANAMPALLY NAGAR BRANCH, COCHIN 36 ISSUED BY THE 1ST RESPONDENT.

EXHIBIT P2 TRUE COPY OF THE CHEQUE RETURN MEMO DATED 9-3-2015 OF UNION BANK OF INDIA, SERVICE BRANCH, ERNAKULAM.

EXHIBIT P3 TRUE COPY OF THE LAWYER NOTICE DATED 17-3-2015.

RESPONDENT(S) ' EXHIBITS :- NIL

//TRUE COPY//

P.A. TO JUDGE

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

W.P.(C) No.9091 of 2015

Dated this the 23rd day of March 2015

J U D G M E N T

Shaffique, J.

The petitioners have approached this Court alleging harassment by the police. According to them, they are not involved in any offence whereas, they have only taken some action against another person for dishonour of cheque. The police officers are unnecessarily summoning the petitioners to the police station and is harassing them.

2. Learned Government Pleader on instructions would submit that the petitioners are money lenders and a crime has been registered against them as Crime No.225 of 2015 of Cheranalloor Police Station. Petitioners have been summoned to appear. But, so far they are not summoned and not co-operating with the investigation.

3. Having regard to the aforesaid factual situation, it is clear that the petitioners are summoned only for the purpose of investigation in the crime, for which, they are bound to appear and given necessary statement. This action of the police does not amount to any harassment as alleged.

-: 2 :-

Under such circumstances, the petitioners are not entitled to any relief as claimed in the writ petition. Accordingly, the writ petition is dismissed.

Sd/-
ASHOK BHUSHAN
Ag. CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE
JUDGE