

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE**

WEDNESDAY, THE 1ST DAY OF APRIL 2015/11TH CHAITHRA, 1937

WP(C).No. 10777 of 2015 (V)

PETITIONER:

**RAJU, AGED 42 YEARS, S/O.SIVAN,
RESIDING AT PULIPPATHARAYIL HOUSE,
AADINAADU HOUSE, KAATTIL KDAVU P.O. ,
KARUNAGAPPALLY, KOLLAM.**

BY ADV. SRI.M.R.SASITH

RESPONDENT(S):

- 1. COMMISSIONER OF POLICE,
KOLLAM-69001.**
- 2. SUB INSPECTOR OF POLICE,
KARUNAGAPALLY POLICE STATION,
KARUNAGAPPALLY-69001.**

BY STATE ATTORNEY SRI.P.VIJAYARAGHAVAN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 01-04-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

WP(C).No. 10777 of 2015 (V)

APPENDIX

PETITIONER(S)' EXHIBITS:

**EXT.P1: COPY OF REPRESENTATION DATED 19.3.2015 GIVEN BY THE
PETITIONER'S WIFE TO THE 1ST RESPONDENT.**

EXT.P1(A): TRUE COPY OF THE ENGLISH TRANSLATION OF THE EXHIBIT P1.

RESPONDENT(S)' EXHIBITS: - NIL

/TRUE COPY/

P.S. TO JUDGE

mbr/

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

W.P.C.No.10777 of 2015

Dated this the 1st day of April 2015

J U D G M E N T

Shaffique,J

Petitioner has approached this Court alleging harassment by the police. It is submitted that the petitioner is a Videographer by profession and when he had been to Aadinaadu Saktikulangara Devi temple for taking video of the festival, there was a clash between two groups. The police authorities had called upon the petitioner to hand over the videographs taken by him at the scene of the crime. According to the petitioner, he has given all materials available with him, but still he is being harassed by the police. He has also filed a complaint before the Police Commissioner alleging harassment by the police. It is also submitted that respondents had come to his house at 3 a.m on 19/03/2015 and threatened that his life will be in danger.

2. Learned State Attorney, on instructions, would submit that the petitioner had not provided all the necessary information, as called for by the respondents. Notice had been issued to the petitioner calling upon him to produce the necessary particulars which he had collected at the time when he was taking photographs/video during the festival. Police have not harassed the petitioner, as alleged.

3. Having regard to the aforesaid submission, we are of the view that the petitioner has to provide all necessary materials only if notice regarding that is received by him in the matter. Police can investigate the matter and police do not have a case that the petitioner is involved in any offence. If the police want any particulars, appropriate notice has to be issued in accordance with law and if such notice is received, petitioner shall provide all particulars requested for, as is available with him. The action of the police in issuing notice for producing necessary particulars does not amount to harassment. However, if there is any police harassment, it shall always be open for the petitioner

to take the matter before appropriate authorities. We do not think that the present case requires any direction, as sought for. We only observe that the petitioner shall be summoned to produce any documents or to give statement only on notice/summons being issued by the police.

This writ petition is disposed of as above.

(sd/-)

(ASHOK BHUSHAN, CHIEF JUSTICE)

(sd/-)

(A.M.SHAFFIQUE, JUDGE)

jsr

