

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

MONDAY, THE 22ND DAY OF JUNE 2015/1ST ASHADHA, 1937

WP(C).No. 13112 of 2015 (L)

PETITIONER(S):

**JAIMSON, AGED 54 YEARS,
S/O.DEVASSY KUTTY, PUTHUKKADAN HOUSE, GANDHIGRAM,
IRINJALAKUDA. P.O, THRISSUR DISTRICT, PIN-680 121.**

BY ADV. SRI.K.B.PRADEEP.

RESPONDENT(S):

- 1. THE STATE OF KERALA,
REPRESENTED BY ITS HOME SECRETARY,
GOVERNMENT OF KERALA, THIRUVANANTHAPURAM- 695 001.**
- 2. SRI.VARGHESE,
DEPUTY SUPERINTENDENT OF POLICE,
IRINJALAKUDA, PIN- 680121.**
- 3. SRI.SINOJ, CIRCLE INSPECTOR OF POLICE,
IRINJALAKUDA. PIN-680 121.**
- 4. SUB INSPECTOR OF POLICE,
IRINJALAKUDA POLICE STATION,
IRINJALAKUDA, PIN-680 121.**
- 5. SRI.GOPI, CIVIL POLICE OFFICER,
IRINJALAKUDA POLICE STATION,
IRINJALAKUDA, PIN-680 121.**
- 6. GERALD W.ALAPPAT,
S/O.WARUNNY ALAPPAT, ALAPPAT HOUSE,
MARKET VIEW ROAD, IRINJALAKUDA,
THRISSUR DISTRICT, PIN -680 121.**

R1 & R4 BY SR. GOVT. PLEADER SRI.C.R. SYAMKUMAR.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 22-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

WP(C).No. 13112 of 2015 (L)

APPENDIX

PETITIONER'S EXHIBITS:-

EXT.P1: TRUE COPY OF THE FINAL CHARGE LAID BY THE POLICE BEFORE
THE JUDICIAL FIRST CLASS MAGISTRATE COURT, IRINJALAKUDA
DATED 30.01.2014.

EXT.P2. TRUE COPY OF NOTICE DATED 10/04/2015 BY RESPONDENT NO.4.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

ASHOK BHUSHAN, CJ

&

A.M. SHAFFIQUE, J.

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W.P (C) No. 13112 of 2015

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Dated this, the 22nd day of June, 2015

J U D G M E N T

Ashok Bhushan, CJ

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

2. This writ petition has been filed alleging police harassment. Petitioner's case is that he has filed a private complaint against the private respondents which case has been registered on 30th of January, 2014 being Cr.No. 2163/2013 in which charge sheet has also been submitted. He submits that a notice has been issued to the petitioner under Section 91 Cr.P.C calling upon him to appear with certain documents. He submits that every day police personnels are coming to his shop, which is nothing but harassment.

3. Learned Government Pleader was allowed time to obtain instructions. In the statement filed by the 3rd respondent, it

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has been stated that on the petition submitted by the 6th respondent, District Police Chief has directed the DYSP to conduct an enquiry into the matter. DYSP conducted a detailed enquiry and submitted report to the District Police Chief recommending further investigation in the case. On the basis of the report of the DYSP, the District Police Chief ordered further investigation vide order dated 6/3/2015, in which connection, notice was issued asking the petitioner to produce certain documents. Learned Government Pleader submits that there is no kind of any harassment nor police personnels are going to the petitioner's shop every day as alleged by the petitioner.

4. We have considered the submission of the learned counsel for the parties and perused the record.

5. From the facts brought on record, it is clear that present is not a case of police harassment as alleged. Petitioner was issued a notice in connection with further investigation which is permissible under law. Any challenge to the said proceedings cannot be entertained in this writ petition alleging police

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-:3:-

harassment. We need not enter into the other submissions made by the petitioner in this case. It shall be open for the parties to move for appropriate reliefs as is permissible in law.

With the above observations, the writ petition is closed.

Sd/-
ASHOK BHUSHAN, CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE, JUDGE

Rp

//True Copy//

PS to Judge