

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 3RD DAY OF JUNE 2015/13TH JYAISHTA, 1937

WP(C) .No. 16412 of 2015 (B)

PETITIONER(S) :-

MUHAMMED RAFEEQUE ARAYAPRATH, AGED 40 YEARS
S/O. LATE MADAMBILLATH ASSAINAR KUTTY
RESIDING AT MAHAMOOD MANZIL, PAYYANNUR AMSOM DESOM
PUNCHAKKAD, P.O. PAYYANNUR, TALIPARAMBA TALUK
KANNUR.

BY ADV. SRI.PHILJO VARUGHESE PHILIPS

RESPONDENT(S) :-

1. SUB INSPECTOR OF POLICE
PAYYANNUR POLICE STATION, P.O.PAYYANNUR
KANNUR DISTRICT, PIN - 670 307.
2. CIVIL POLICE OFFICER,
PAYYANNUR POLICE STATION, P.O. PAYYANNUR
KANNUR DISTRICT, PIN - 670 307.
3. INSPECTOR OF POLICE,
PAYYANNUR POLICE STATION, P.O. PAYYANNUR
KANNUR DISTRICT, PIN - 670 307.
4. DISTRICT POLICE CHIEF, KANNUR, PIN - 670 001.
5. SECRETARY TO GOVERNMENT,
DEPARTMENT OF HOME AFFAIRS
THIRUVANANTHAPURAM - 695 001.

BY SR.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

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

APPENDIX

PETITIONER(S) ' EXHIBITS :-

EXHIBIT-P1-TRUE COPY OF THE FIR IN CRIME NO. 88/2015 REGISTERED
BY PAYYANNUR POLICE AND ITS ENGLISH TRANSLATION.

EXHIBIT-P2-TRUE COPY OF THE REMAND REPORT FILED BY THE PAYYANNUR
POLICE BEFORE THE HONOURABLE JFCM, PAYYANNUR DATED 21/04/2015 AND
ITS ENGLISH TRANSLATION.

EXHIBIT-P3-TRUE COPY OF THE CHARGE SHEET IN CRIME NO. 88/2015
REGISTERED BY THE PAYYANNUR POLICE AND ITS ENGLISH TRANSLATION.

RESPONDENT(S) ' EXHIBITS :- NIL

//TRUE COPY//

P.A. TO JUDGE

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

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Dated this the 3rd day of June 2015

J U D G M E N T

Shaffique, J.

The petitioner has approached this Court alleging harassment by police. It is stated that false cases are being registered against the petitioner and he is unnecessarily called to the police station for interrogation. He is also asked to sit in the police station over night. It is stated that two crimes had been registered against the petitioner, which are false and the petitioner seeks to have the investigation being conducted by a superior officer.

2. Learned Government Pleader on instructions would submit that the petitioner is involved in three crimes, in which, two are relating to removal of river sand without proper permission from the competent authority.

3. Having regard to the aforesaid factual situation, we do not think that a case of harassment by police is made out in this writ petition. If the petitioner has a case that crimes have been wrongly registered against him, it is always be open for him to challenge the same before the appropriate court.

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-: 2 :-

Under such circumstances, we do not find any merit in the writ petition and accordingly the same is dismissed.

Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE
JUDGE

Jvt