

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

TUESDAY, THE 9TH DAY OF JUNE 2015/19TH JYAISHTA, 1937

WP(C).No. 17198 of 2015 (Y)

PETITIONER(S):

1. SEBASTINE JOHN MAJO, AGED 23 YEARS,
S/O. GEORGE P.G., PALLICHANPARAMBIL HOUSE, PANAMBUKADU,
VALLARPADOM POST, ERNAKULAM.
2. SHAHARBAN P.A., AGED 21,
D/O. ALI , PERUMPILAYIL HOUSE, VELLANCHIRA POST,
CHALAKKUDY, THRISSUR.
3. GEORGE K.G., AGED 49,
S/O. GEORGE, PALLICHANPARAMBIL HOUSE, PANAMBUKADU,
VALLARPADOM POST, ERNAKULAM.
4. METILDA GEORGE, AGED 47,
W/O. GEORGE, PALLICHANPARAMBIL HOUSE, PANAMBUKADU,
VALLARPADOM POST, ERNAKULAM.

**BY ADVS.SRI.P.J.UNNIKRISHNAN
SRI.SHERRY J. THOMAS**

RESPONDENT(S):

1. STATE OF KERALA,
REPRESENTED BY SECRETARY,
HOME DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM 695 001.
2. COMMISSIONER OF POLICE,
KOCHI.
3. CIRCLE INSPECTOR OF POLICE,
ERNAKULAM CENTRAL POLICE STATION,
ERNAKULAM KOCHI-18.
4. SUB INSPECTOR OF POLICE,
MULAVUKAD, ERNAKULAM DISTRICT - 682 035.

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5. SUB INSPECTOR OF POLICE,
KODAKARA, THRISSUR DISTRICT - 680 001.
6. SHERIFF, AGED ABOUT 40,
PALAKKUZHY, VELLANCHIRA, THRISSUR DISTRICT - 680 005.
7. ANWAR E.A, AGED ABOUT 40,
ELAYEDATH HOUSE, ATHANI, KAKKANAD,
ERNAKULAM DISTRICT =- 682 030.

R1 TO R5 BY SENIOR GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
09-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

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APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1: THE TRUE COPY OF THE MARRIAGE CERTIFICATE.

EXT.P1A: THE TRUE COPY OF THE TRANSLATION OF EXHIBIT P1.

EXT.P2: THE TRUE COPY OF THE AGREEMENT.

EXT.P2A: THE TRUE COPY OF THE TRANSLATION OF EXT. P2.

EXT.P3: A TRUE COPY OF THE NOTICE FOR MARRIAGE UNDER SPECIAL
MARRIAGE ACT.

EXT.P3A: A TRUE COPY OF THE POSTAL RECEIPT OF EXT.P3.

EXT.P4: A TRUE COPY OF THE PETITION GIVEN TO THE 4TH RESPONDENT.

EXT.P5: A TRUE COPY OF THE PETITION GIVEN TO THE 2ND RESPONDENT.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Ms v/

ASHOK BHUSHAN, CJ

&

A.M. SHAFFIQUE, J.

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Dated this, the 9th day of June, 2015

J U D G M E N T

Shaffique, J

Petitioners have approached this Court seeking police protection alleging that respondents 6 and 7 are threatening them. It is stated that the first petitioner has married the second petitioner and petitioners 3 and 4 are the parents of the first petitioner. Since the second petitioner is belonging to another religion, getting infuriated by the action of the petitioner, respondents 6 and 7 are threatening the petitioners. It is also submitted that the third petitioner was kidnapped and assaulted by certain persons along with respondents 6 and 7 on 5/6/2015. On the fear of being further threatened with loss of life, petitioners have filed a complaint before the police and since no action has been taken in the matter, they have approached this

Court.

2. Learned Government Pleader, on instructions, would submit that a complaint had been filed by the second petitioner's mother on the ground that the second petitioner was missing from the residence. An enquiry was conducted by the police and it was understood that petitioners 1 and 2 are residing in the said premises. It is stated that the second petitioner will either have to appear before the 5th respondent or before the Magistrate having jurisdiction over the area to give a statement regarding the said crime.

3. We are not issuing notice to respondents 6 and 7 in view of the judgment which is being passed.

4. Since there is an allegation that respondents 6 and 7 have threatened the petitioners with loss of life, we observe that if there is any offence being committed or attempt to commit offence, on the complaint of the petitioners, police shall look into the matter and do the needful. As far as the appearance of the second petitioner before the Magistrate is concerned, it shall be

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open for the 2nd petitioner to either directly appear before the learned Magistrate or to appear before the 5th respondent, who shall make necessary arrangements for the same.

With the above observation, this writ petition is closed.

Sd/-
ASHOK BHUSHAN, CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE, JUDGE

Rp

//True Copy//

PS to Judge