

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN

&

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

FRIDAY, THE 19TH DAY OF JUNE 2015/29TH JYAISHTA, 1937

WP(C).No. 17290 of 2015 (I)

PETITIONER(S) :-

1. PREMAKUMARI, W/O.ANPIRAJ, PADINJAMURI, KARAPOTTA
ALATHUR, PALAKKAD.
2. USHA, W/O.JANARDHANAN, KODALLUR HOUSE, PADINJAMURI
KARAPOTTA, ALATHUR, PALAKKAD.
3. KUNJA, W/O.SWAMINATHAN, PADINJAMURI, KARAPOTTA
ALATHUR, PALAKKAD.
4. DEVAKI, W/O.SUDEVAN, PARAYANKOTTUKULAMBU HOUSE, KARAPOTTA
ALATHUR, PALAKKAD.

BY ADV. SRI.V.A.JOHNSON (VARIKKAPPALLIL)

RESPONDENT(S) :-

1. S.I. OF POLICE, VADAKKENCHERRY POLICE STATION
PALAKKAD DISTRICT - 678 543.
2. CIRCLE INSPECTOR OF POLICE, VADAKKENCHERRY POLICE STATION,
PALAKKAD DISTRICT - 678 543.
3. THE DY.SUPERINTENDANT OF POLICE,
OFFICE OF THE DY.SUPERINTENDANT OF POLICE,
ALATHUR, PALAKKAD - 678 541.
4. SUPERINTENDANT OF POLICE, PALAKKAD DISTRICT - 678 001.

BY STATE ATTORNEY SRI.P.VIJAYARAGHAVAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 19-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

WP(C) .No. 17290 of 2015 (I)

APPENDIX

PETITIONER(S) ' EXHIBITS :-

P1:TRUE COPY OF THE FIR NO.827/2015 OF VADAKKENCHERRY POLICE
STATION, DATED 16.05.2015.

P1 A:TRUE COPY OF THE FIR NO.828/2015 OF VADAKKENCHERRY POLICE
STATION, DATED 16.05.2015.

P1 B:TRUE COPY OF THE FIR NO.829/2015 OF VADAKKENCHERRY POLICE
STATION, DATED 16.05.2015.

P1 C:TRUE COPY OF THE FIR NO.830/2015 OF VADAKKENCHERRY POLICE
STATION, DATED 16.05.2015.

P1 D:TRUE COPY OF THE FIR NO.831/2015 OF VADAKKENCHERRY POLICE
STATION, DATED 16.05.2015.

P2:TRUE COPY OF THE RECEIPT DATED 03.06.2015 ISSUED FROM THE
OFFICE OF THE 3RD RESPONDENT.

P2 A:TRUE COPY OF THE RECEIPT DATED 03.06.2015 ISSUED FROM THE
OFFICE OF THE 3RD RESPONDENT.

P2 B:TRUE COPY OF THE RECEIPT DATED 03.06.2015 ISSUED FROM THE
OFFICE OF THE 3RD RESPONDENT.

P2 C:TRUE COPY OF THE RECEIPT DATED 03.06.2015 ISSUED FROM THE
OFFICE OF THE 3RD RESPONDENT.

RESPONDENT(S) ' EXHIBITS :- NIL

//TRUE COPY//

P.A. TO JUDGE

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

W.P.(C) No.17290 of 2015

Dated this the 19th day of June 2015

J U D G M E N T

Ashok Bhushan, CJ

Heard the learned counsel for the petitioners and the learned State Attorney.

2. By this writ petition, the petitioners are seeking for a direction to the respondents to afford adequate and unbiased protection to the life and property of the petitioners and their family members against the threat posed by the CPI(M) leaders and their men of Karapotta Desom, Palakkad District.

3. Petitioners' case is that they are being targeted on the ground that their close relatives are the accused in Crime No.757 of 2015 of Vadakkencherry Police Station registered for offence punishable under Sec.302 r/w 34 of IPC. The prosecution case is that, one Vijayan, a loyalist of CPI(M) was murdered by some people belonging to Bharathiya Janatha Party.

4. Learned counsel for the petitioners submits that petitioners' houses were damaged and family members were attacked. Eventually, the petitioners have to flee from their

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houses. It is submitted that complaints have been filed before the police authorities by the petitioners, which had been brought on record as Exts.P1 and P2 series. It is submitted that the protection provided by police at some time is meagre and one or two constables are deputed.

5. Learned State Attorney on instructions would submit that the police is vigilant and continuous patrolling is being done in the area. It is further submitted that as and when any request is received, appropriate protection is provided.

Under such circumstances, we dispose of the writ petition directing the police authorities to ensure maintenance of law and order and ensure that proper protection is given as and when any genuine complaint regarding threat or attempt to commit offence is received.

Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE
JUDGE