

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 7TH DAY OF JULY 2015/16TH ASHADHA, 1937

WP(C).No. 20377 of 2015 (V)

PETITIONER(S) :

**SURESH BABU, S/O.SADASIVAN, AGED 45 YEARS,
14-A, SFS, AMBALAMUKKU, PEROORKADA VILLAGE,
THIRUVANANTHAPURAM,
HAVING PERMANENT ADDRESS AT NARANJANA,
PUTHEN VILA TEMPLE ROAD, ARASUPARAMBU, NEDUMANGAD,
THIRUVANANTHAPURAM.**

BY ADV. SRI.SHAJIN S.HAMEED

RESPONDENT(S) :

- 1. THE DIRECTOR GENERAL OF POLICE,
KERALA, POLICE HEAD QUARTERS, THIRUVANANTHAPURAM,
PIN CODE: 695 010.**
- 2. THE COMMISSIONER OF POLICE,
THIRUVANANTHAPURAM CITY, VAZHUTHACAUD,
THIRUVANANTHAPURAM, PIN CODE.695 014.**
- 3. THE SUB INSPECTOR OF POLICE,
PEROORKADA POLICE STATION,
THIRUVANANTHAPURAM DISTRICT, PIN CODE. 695 005.**
- 4. DEEPA G.R., AGED 34 YEARS,
D/O.GIRIJA, WORKING AS U.D.CLERK (TYPIST),
CHIEF OFFICE, KSRTC, TRANSPORT BHAVAN,
THIRUVANANTHAPURAM, PIN CODE. 695 029.**

R1 TO R3 BY STATE ATTORNEY SRI.P.VIJAYARAGHAVAN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 07-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

WP(C).No. 20377 of 2015 (V)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1: PHOTOCOPY OF THE FIR IN CRIME NO.981/2014 OF PEROORKADA
POLICE STATION ALONG WITH ITS ENGLISH TRANSLATION.**

**EXHIBIT P2: PHOTOCOPY OF THE FIR IN CRIME NO.1409/2014 OF
PEROORKADA POLICE STATION ALONG WITH ITS ENGLISH
TRANSLATION**

**EXHIBIT P3: PHOTOCOPY OF THE PLAINT IN O.S.NO.2518/2014 BEFORE
THE MUNSIFF COURT, THIRUVANANTHAPURAM.**

**EXHIBIT P4: PHOTOCOPY OF THE COMPLAINT SUBMITTED BY
THE PETITIONER BEFORE THE 2ND RESPONDENT.**

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

ASHOK BHUSHAN, CJ

&

A.M. SHAFFIQUE, J.

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W.P (C) No. 20377 of 2015

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Dated this, the 7th day of July, 2015

J U D G M E N T

Shaffique, J

Petitioner has approached this Court *inter alia* seeking police protection. It is alleged that the 4th respondent along with her brother are creating obstruction to the business being conducted by the petitioner. Petitioner had also filed a suit as OS No.2518/2014 before the Munsiff's Court, Thiruvananthapuram seeking for a permanent prohibitory injunction against the 4th respondent. The said suit is still pending. In the meantime, the 4th respondent has committed several crimes against the petitioner and continues to do so. Though complaint has been given to the police, no action had been taken in the matter and therefore, the petitioner has approached this Court.

2. Learned State Attorney on instructions would submit that two crimes were registered against the 4th respondent which has already been chargesheeted for offences committed against

-:2:-

the petitioner. But as far as the present complaint which is reflected in Ext.P4 is concerned, it is submitted to the Commissioner of Police, Alleppey, who is not a party to the present proceedings.

3. According to the petitioner, despite the fact that two cases were chargesheeted, 4th respondent along with her henchmen are threatening the petitioner that unless complaints are withdrawn, they will cause loss of life to the petitioner.

4. Having regard to the aforesaid factual situation, we do not think that notice need be issued to the 4th respondent. We only permit the petitioner to give appropriate complaint to the concerned Station House Officer, if there is any offence being committed or attempt to commit offence, who shall look into the matter and do the needful.

With the above observation, the writ petition is disposed of.

Sd/-
ASHOK BHUSHAN, CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE, JUDGE

Rp