

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 13TH DAY OF JULY 2015/22ND ASHADHA, 1937

WP(C).No. 20957 of 2015 (T)

PETITIONER(S) :

SHINOD.P AGED 43 YEARS
S/O PARA MESWARAN, PROPRIETOR, AARPEE TRAVELS
OPPOSITE MEDICAL CENTRE, PARVATHY TOWER, PALARIVATTOM
RESIDING AT PUTHENPARAMBIL HOUSE, ALUPURAM PO
UDYOGAMANDAL

BY ADV. SRI.E.D.GEORGE

RESPONDENT(S) :

1. BAIJU
S/O RAPHEL, ADMURI HOUSE, NEW COLONY RPOAD
PALARIVATTOM 682 025

2. THE SUB INSPECTOR OF POLICE
PALARIVATTOM 682 025

3. THE CITY POLICE COMMISSIONER,
ERNAKULAM 682 018

R2 AND R3 BY STATE ATTORNEY SRI.P.VIJAYARAGHAVAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
13-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) .No. 20957 of 2015 (T)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXT.P1: TRUE COPY OF THE COMPLAINT BEFORE THE 2ND RESPONDENT DT.
3/7/15

EXT.P2; TRUE COPY OF THE COMPLAINT BEFORE THE 3RD RESPONDENT DT.
3/7/15

RESPONDENT(S) ' EXHIBITS

NIL

/TRUE COPY/

PS TO JUDGE

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

W.P.(C).No. 20957 of 2015

Dated this the 13th July, 2015

JUDGMENT

Shaffique, J.

The petitioner has approached this Court seeking Police protection. It is inter alia contended that the petitioner had some financial transactions with the first respondent and he had paid large amount by way of interest and also the principal amount. However, the first respondent is demanding more amount and has forced him to issue blank cheque leaf, blank stamp papers etc. The petitioner has narrated in the Writ Petition an incident, which happened on 30.6.2015 at 5.30 p.m., on which day the first respondent came with another man in the office of the petitioner and manhandled the petitioner. The petitioner had filed a complaint before the Police as Exhibit P1, but no action has been taken in the matter.

The petitioner and his family members are under severe threat and according to him, he is unable to carry on the business activities on account of the threat from the first respondent.

2. The learned State Attorney, on instructions, would submit that on the basis of Exhibit P1 complaint, both the parties were summoned on 11.7.2015. The petitioner did not appear, whereas the first respondent appeared in person. As the petitioner was not available for taking statement, nothing else could be done in the matter.

3. Learned counsel for the petitioner submits that he being a driver by profession was out of station and is ready and willing to appear before the Police.

4. Having regard to the aforesaid factual situation, it is clear that the Police has taken appropriate action in the matter. The petitioner may co-operate with the investigation that is being done by the Police pursuant to the complaint submitted by the petitioner.

5. The Police can interfere only if any offence is committed or there is attempt to commit offence. Since appropriate action has already been taken by the Police, we do not think that any further direction is required to be passed. However, if there is any further offence or there is attempt to commit any offence, it is always open for the petitioner to file complaint before the Police, which shall be looked into by the Police.

With the above observation, the Writ Petition is closed.

**ASHOK BHUSHAN
CHIEF JUSTICE**

**A.M.SHAFFIQUE
JUDGE**

vgs13/7/15