

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 20TH DAY OF JULY 2015/29TH ASHADHA, 1937

WP(C).No. 21788 of 2015 (W)

PETITIONER(S):

**SURESH V.K. AGED 50 YEARS,
S/O KRISHNANKUTTY,
VADAKKODAN HOUSE,
P.O.ELATHURUTHU,
THRISSUR 680611.**

**BY ADVS.SRI.K.N.ABHILASH
SRI.SUNIL NAIR PALAKKAT**

RESPONDENT(S):

- 1. THE CIRCLE INSPECTOR OF POLICE,
AYYANTHOLE POLICE STATION,
THRISSUR 680003.**
- 2. THE SUB INSPECTOR OF POLICE
AYYANTHOLE POLICE STATION,
THRISSUR 680003.**

BY SR GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1: TRUE COPY OF THE AGREEMENT DATED 11.2.15
ENTERED BETWEEN M/S.RAYFORD INTERNATIONAL AND ONE
CANDIDATE BY NAME AMARLAL M.A.

EXT.P2: TRUE COPY OF THE ORDER DT 16.5.15 IN
CRL.M.C.NO.1022/2015 BEFORE THE PRINCIPAL DISTRICT AND
SESSIONS COURT, ERNAKULAM.

EXT.P3: TRUE COPY OF THE COMPLAINT DT 1.6.15 PREFERRED
BY THE PETITIONER BEFORE THE 1ST RESPONDENT.

EXT.P4: TRUE COPY OF THE RECEIPT IN PETITION
NO.81788/2015 DATED 2.6.15 ISSUED BY THE 1ST RESPONDENT
AND ALONGWITH TRANSLATE COPY OF THE EXHIBIT P4.

EXT.P5: TRUE COPY OF THE JUDGMENT DATED 4.6.15 IN WPC
NO.16592/2015 OF THE HIGH COURT OF KERALA, ERNAKULAM.

//True Copy//

PS to Judge

Rp

ASHOK BHUSHAN, CJ

&

A.M. SHAFFIQUE, J.

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W.P (C) No. 21788 of 2015

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Dated this, the 20th day of July, 2015

J U D G M E N T

Shaffique, J

Petitioner has approached this Court alleging harassment by police. It is stated that he had certain connection with one M/s. Rayford International Private Ltd., an agency who were recruiting persons for employment abroad. He had sent few persons to the said agency. The said agency had collected payments from the candidates and thereafter they eloped without complying with their promise. This has resulted in the candidates filing complaints before the police station and Crime No.325/2015 has been registered in which the partners of M/s.Rayford International are accused. Petitioner submits that he had not taken any money from any of the candidates and he is not involved in the alleged fraudulent activities of M/s.Rayford International. However, police is unnecessarily harassing him by summoning him to the police station and using abusive language.

-:2:-

2. Petitioner had earlier filed an application for anticipatory bail, which was disposed of as no crime was registered against him. He had also filed a petition seeking police protection which was disposed of by this Court as per judgment dated 4/6/2015 in WP(C) No.16592/2015. While so, it is submitted that harassment has been meted out against him and his family members by the police.

3. Learned Government Pleader on instructions would submit that two candidates have filed complaints before the police stating that petitioner had collected ₹1,30,000/- from each of them and has taken their passports and other documents. Neither the amount nor the passport and other documents had been returned by the petitioner. It is on the basis of the said complaint that the police had summoned him, but so far, he has not appeared before the police. It is only for the purpose of enquiry into the said complaint that the petitioner was summoned.

4. Having regard to these factual aspects, we do not think that summoning of petitioner for enquiring into the complaint does not amount to any harassment as alleged. If the petitioner

W.P(C) No.21788/15

-:3:-

has a case that there is any police excess, it is always open for him to take necessary steps under the relevant statutes or before the statutory authorities.

Having regard to the present allegation, we do not think that there is any harassment by the police and therefore, we dismiss the writ petition.

Sd/-
ASHOK BHUSHAN, CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE, JUDGE

Rp

//True Copy//

PS to Judge