

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 21ST DAY OF AUGUST 2015/30TH SRAVANA, 1937

WP(C).No. 25894 of 2015 (J)

PETITIONER(S) :-

PASTOR.JOSEPH KURIAN, AGED 53 YEARS,
S/O.JOHN KURIAN, ASSEMBLIES OF GOD,
CHURCH PARSONAGE, KULAPARACHAL P.O.,
KULAPARACHAL, IDUKKI DISTRICT, PIN - 685 619.

BY ADVS.SRI.R.MANOJ
SMT.P.P.BLESSY MOL
SMT.K.S.SAMEERA

RESPONDENT(S) :-

1. THE STATE OF KERALA, REPRESENTED BY
THE SECRETARY OF MINISTRY OF HOME,
STATE SECRETARIAT, THIRUVANANTHAPURAM - 695 001.
2. THE SUB INSPECTOR OF POLICE,
RAJAKKAD POLICE STATION, PIN - 678 001.
3. K.V.ABRAHAM, KALLADAYIL HOUSE,
KULAPARACHAL.P.O., KURIVILA CITY,
RAJAKUMARI, IDUKKI DISTRICT, PIN - 585 619.
4. SUB INSPECTOR OF POLICE,
SANTHPARA, IDUKKI.

R1, R2 & R4 BY SR.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 21-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

jvt

APPENDIX

PETITIONER'S EXHIBITS :-

EXT.P1 :- TRUE COPY OF THE FIR IN CRIME No.655/2014 OF RAJAKKAD POLICE STATION.

EXT.P1(a) :- TRUE TRANSLATION OF CLAUSE 12 OF EXHIBIT P1.

EXT.P2 :- TRUE COPY OF THE PRIVATE COMPLAINT FILED BY THE PETITIONER BEFORE THE JUDICIAL MAGISTRATE OF FIRST CLASS, ADIMALI DATED 7/11/2014.

EXT.P3 :- TRUE COPY OF THE PLAINT IN O.S.No.305/2014 OF THE MUNSIFF'S COURT, DEVIKULAM.

EXT.P4 :- TRUE COPY OF THE WRITTEN STATEMENT FILED BY THE PETITIONER IN OS No.305/2014.

EXT.P5 :- TRUE COPY OF THE PHOTOGRAPH SHOWING THE INJURY SUSTAINED BY THE PETITIONER.

EXT.P6 :- TRUE COPY OF THE FIR IN CRIME No.384/2015 DATED 5/8/2015 IN RESPECT OF OFFENCES UNDER SECTIONS 341, 294(b), 323, 324, 506(i).

EXT.P6(a) :- TRUE ENGLISH TRANSLATION OF CLAUSE 12 OF EXHIBIT P6.

EXT.P7 :- TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT DATED 17/08/2015.

EXT.P7(a) :- TRUE COPY OF THE TRANSLATION OF EXHIBIT P7.

RESPONDENT'S EXHIBITS :- NIL.

//TRUE COPY//

P.A. TO JUDGE

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

W.P.(C) No.25894 of 2015

Dated this the 21st day of August 2015

J U D G M E N T

Shaffique, J.

The petitioner has approached this Court seeking for police protection. It is stated in the writ petition that the petitioner is a Pastor of Assemblies of God. The 3rd respondent, on enimical terms, several occasions, had threatened and manhandled the petitioner. A crime has been registered, which is under investigation. Still, it is stated that the 3rd respondent has threatened the petitioner with loss of life. Though complaint had been given to the police as Ext.P7, no action is being taken and hence, the petitioner has approached this Court.

2. Learned Government Pleader on instructions would submit that the investigation in the crime against 3rd respondent has already been completed and the final report is to be filed. The 3rd respondent was arrested during the investigation and he was released on bail. It is stated that appropriate action has already been taken by the police in the said matter. As far as the claim made by the petitioner for police protection is concerned, we are of the view that the police can interfere in the matter, only if there

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is any offence committed or attempt to commit offence. If any such situation arises, it shall always be open for the petitioner to seek assistance of the police, who shall immediately take necessary action in the matter.

With the above observation, this writ petition is closed.

Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE
JUDGE