

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN  
&  
THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE**

**WEDNESDAY, THE 7TH DAY OF OCTOBER 2015/15TH ASWINA, 1937**

**WP(C).No. 30328 of 2015 (M)**  
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**PETITIONER(S):**  
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1. **MERCY VARKEY, AGED 61 YEARS, W/O.VARKEY,  
UMBAKKATT HOUSE, CHURULI, CHELACHUVADU, KANJIKUZHI, IDUKKI,  
NOW RESIDING AT UMBAKKATT HOUSE, VAZHAKKULAM P.O., VALLIKADA,  
MUVATTUPUZHA, ERNAKULAM-686670.**
2. **JINTO VARKEY, AGED 32 YEARS, S/O.VARKEY,  
UMBAKKATT HOUSE, CHURULI, CHELACHUVADU, KANJIKUZHI, IDUKKI,  
NOW RESIDING AT UMBAKKATT HOUSE, VAZHAKKULAM P.O., VALLIKADA,  
MUVATTUPUZHA, ERNAKULAM-686670.**

**BY ADVS.SRI.M.B.SANDEEP  
SMT.R.PRIYA  
SRI.B.SURJITH  
SRI.VIJU CHAKKALACKAN  
SMT.R.ANJANA**

**RESPONDENT(S):**  
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1. **STATE OF KERALA,  
REPRESENTED BY SECRETARY TO THE GOVERNMENT OF KERALA,  
DEPARTMENT OF HOME, GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM-695001.**
2. **THE DEPUTY SUPERINTENDENT OF POLICE,  
OFFICE OF THE DEPUTY SUPERINTENDENT OF POLICE,  
MUVATTUPUZHA-686661.**
3. **THE CIRCLE INSPECTOR OF POLICE,  
MUVATTUPUZHA POLICE STATION, MUVATTUPUZHA,  
ERNAKULAM-686661.**
4. **SUB INSPECTOR OF POLICE,  
VAZHAKKULAM POLICE STATION, MUVATTUPUZHA-686661.**

**PJ**

**....2/-**

WP(C).No. 30328 of 2015 (M)

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5. RASHEED, AGED 40 YEARS, S/O.BASHEER,  
KOLLAMPARAMBIL (H), ERATTUPETTA,  
THEKKEKKARA, KOTTAYAM, PIN-686582.
6. MUHAMMED RAFI @ RAJA, AGED 28 YEARS,  
S/O.ABDUL SALAM, KOCHEPARAMBIL HOUSE,  
ERATTUPETTA, THEKKEKKARA, KOTTAYAM-686582.
7. KABEER, AGED 40 YEARS, S/O.ABDUL SALAM,  
KOCHEPARAMBIL (H), ERATTUPETTA,  
THEKKEKKARA, KOTTAYAM-86582.
8. SHAFI, AGED 27 YEARS, S/O.ABDUL SALAM,  
VALIYAVEETIL (H), ERATTUPETTA, THEKKEKKARA,  
KOTTAYAM, PIN-686582.
9. SHAHIR, AGED 35 YEARS,  
PROPRIETOR HIGH RANGE SPICES, ERATTUPETTA,  
THEKKEKKARA, KOTTAYAM-68682.

R1-4 BY SENIOR GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 07-10-2015, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

PJ

**ASHOK BHUSHAN, C.J.**

**&**

**A.M. SHAFFIQUE, J.**

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W.P. (C) No. 30328 of 2015

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Dated this, the 7<sup>th</sup> day of October, 2015

## **J U D G M E N T**

### **Shaffique, J.**

Petitioners have approached this Court seeking police protection. It is *inter alia* stated that there is some business transaction with the 9<sup>th</sup> respondent. Petitioners allege that respondents 5 to 9 have assaulted the 1<sup>st</sup> petitioner on 23/9/2015 and thereafter, she was hospitalised. Subsequently, crime also has been registered as Crime No.1470/15 by the Thodupuzha Police Station. In the meantime, petitioners apprehend that the respondents by demanding the amounts due to them might further create law and order situation and manhandle the petitioners. Under fear of life, petitioners are unable to move out and therefore the petitioners have sought for police protection.

2. Learned Government Pleader on instructions would submit that with regard to an incident which was reported, crime has already been registered and thereafter, no complaint has

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been received.

3. Having regard to the fact that the petitioners apprehend commission of offence, we are of the view that this writ petition can be disposed of as under;

If there is any offence committed or attempt to commit offence, on the complaint of the petitioners, police shall look into the matter and do the needful.

Sd/-  
**ASHOK BHUSHAN, CHIEF JUSTICE**

Sd/-  
**A.M. SHAFFIQUE, JUDGE**

Rp  
7/10/2015

*//True Copy//*

*PS to Judge*