

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 2ND DAY OF DECEMBER 2015/11TH AGRAHAYANA, 1937

WP(C).No. 30852 of 2015 (F)

PETITIONER :

**MANOJ ALUNKAL, AGED 40 YEARS,
S/O.NARAYANAN, ALUNKAL HOUSE,
NANTHIATTUKUNNAM, NORTH PARAVUR,
ERNAKULAM -683 513**

**BY ADVS.SRI.MANOJ C NAIR
SRI.BIJU HARIHARAN**

RESPONDENT(S):

**1. SUB INSPECTOR OF POLICE,
NORTH PARAVUR POLICE STATION -683 513**

**2. ANSON JOHN.K., AGED 45 YEARS,
S/O. KUNNATHOOR JOHN, CHERIYAPALLAMTHURATHUKARA,
NORTH PARAVUR VILLAGE, PARVUR TALUK,
ERNAKULAM- 683 513**

***3. SREEKUTTAN,
CHUNGATH HOUSE, NORTH PARAVUR- 683 513 (DELETED)**

***R3: SREEKUTTAN, CHUNGATH HOUSE,
NORTH PARAVUR-683 513.**

***IS DELETED FROM THE PARTY ARRAY AS PER ORDER DATED 24/11/2015 IN
IA.NO.16958/2015.**

R1 BY SR GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 02-12-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

sts

WP(C).No. 30852 of 2015 (F)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 TRUE COPY OF AGREEMENT EXECUTED BETWEEN ANSON JOHN K, MANOJ ALUNKAL AND JAYAKUSUMAM DATED 22-10-2013 WITH TRANSLATION
- P2. THE PHOTOCOPY OF THE COMPLAINT SUBMITTED BY SWAPNALEKHA BEFORE THE S.I OF POLICE, NORTH PARAVUR, DATED 01-06-2015 WITH TRANSLATION
- P3. THE RECEIPT EVIDENCING SUBMISSION OF THE COMPLAINT ON 15-06-2015 ISSUED BY THE DISTRICT POLICE OFFICE RURAL
- P4. TRUE COPY OF THE ORDER OF HIGH COURT OF KERALA IN BAIL APPLICATION NO. 4409/15, DATED 09/09/15.

RESPONDENT(S)' EXHIBITS:

NIL

/TRUE COPY/

P.A.TO JUDGE

sts

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

W.P.(C)No.30852 of 2015

Dated this the 2nd day of December, 2015.

J U D G M E N T

SHAFFIQUE, J.

This writ petition has been filed seeking police protection alleging that the 2nd and 3rd respondents along with his men are threatening the petitioner. It is stated that there are some financial transactions, by which the petitioner had borrowed certain amounts from the 2nd respondent and though the time for payment has not expired, the 2nd respondent demanded back the money. Since the petitioner was engaged in the process of producing and releasing of a Movie, he could not repay the amount as per the demand and in the meantime, an attempt was being made by respondents 2 and 3 to physically assault him and his family members.

2. The learned Government Pleader on instructions would submit that an enquiry is pending against the petitioner in respect of a complaint filed by the 3rd

respondent's mother in law and a crime has been registered as Crime No.1397/15 at N.Parur Police station.

3. Be that as it may, the police need to interfere in the matter, only if any offence is committed or there is attempt to commit offence. The police cannot involve in the matter relating to financial transactions between the petitioner and the 2nd respondent.

In the result, this writ petition is disposed of as under :

If any offence is committed or there is any attempt to commit offence, on the complaint of the petitioner, the 1st respondent shall look into the matter and do the needful.

Sd/-
ASHOK BHUSHAN,
CHIEF JUSTICE.

Sd/-
A.M.SHAFFIQUE,
JUDGE.

ami/

//True copy//

P.A. to Judge