

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

THURSDAY, THE 26TH DAY OF NOVEMBER 2015/5TH AGRAHAYANA, 1937

WP(C).No. 32915 of 2014 (L)

PETITIONERS :

- 1. J. JACOB KALLUMMOODAN, AGED 55 YEARS,
S/O. P. JOSEPH KALLUMMODEN, JOY VILLA,
SAKTI KULANGARA P.O., KOLLAM
(RESIDING WITHIN THE JURISDICTION OF
SAKTIKULANGARA POLICE STATION)**
- 2. SHINY JACOB, AGED 45 YEARS,
W/O. JACOB KALLUMMOODAN,
JOY VILLA, SAKTI KULANGARA P.O. KOLLAM
(RESIDING WITHIN THE JURISDICTION OF
SAKTIKULANGARA POLICE STATION)**

**BY ADVS.SRI.S.RAJEEV
SRI.K.K.DHEERENDRAKRISHNAN**

RESPONDENTS :

- 1. STATE OF KERALA
REP. BY THE CHIEF SECRETARY, GOVT. SECRETARIAT
THIRUVANANTHAPURAM - 695 001.**
- 2. DIRECTOR GENERAL OF POLICE/STATE POLICE CHIEF
(HEAD OF POLICE DEPARTMENT) LAW & ORDER,
POLICE HEAD QUARTERS, THIRUVANANTHAPURAM - 695 001.**
- 3. SUPERINTENDENT OF POLICE
OFFICE OF THE SUPERINTENDENT OF POLICE,
KOLLAM - 691 001.**
- 4. ASST. COMMISSIONER OF POLICE
OFFICE OF THE ASST. COMMISSIONER OF POLICE
KOLLAM - 691 001.**
- 5. CIRCLE INSPECTOR OF POLICE
WEST POLICE STATION, KOLLAM - 691 001
(CRIME NO. 1412/14 OF THE SHAKTIKULANGARA POLICE STATION
KOLLAM DISTRICT)**

6. ALBIN BOSS @ ALBIN BERNARD
S/O. BOSS BERNARD, KUTTUMVATHUKKAL,
SAKTIKULANGARA, KOLLAM - 691 581.

7. JOY THOMAS, S/O. MANUEL THOMAS,
JERRY LAND, KOOTTUMVATHICKAL
SAKTIKULANGARA P.O., KOLLAM - 691 581.

R1 TO R5 BY SENIOR GOVERNMENT PLEADER SRI. C.R.SYAMKUMAR
R7 BY ADVS. SRI.K.SHAJ
SRI.SAJJU.S
SRI.S.SUNIL NARAYANAN
SMT.ANJU MOHAN
SRI.RENJIT GEORGE
SRI.S.VISHNU (ARIKKATTIL)

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 26-11-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:

bp

WP(C).No. 32915 of 2014 (L)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1: - TRUE COPY OF THE ORDER DT. 26.7.10 OF THIS HON'BLE COURT GRANTING INTERIM ORDER.**
- P2: - TRUE COPY OF THE ORDER DT. 29.8.11 PASSED BY THIS HON'BLE COURT IN THE WRIT PETITION (C) - 17559/2010.**
- P3: - TRUE COPY OF THE FIRST INFORMATION REPORT IN CRIME NO. 1412/2014.**
- P4: - TRUE COPY FOR THE REPRESENTATION DT. 18.10.14 TO THE STATE POLICE CHIEF SUBMITTED BY THE PETITIONER.**

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

ASHOK BHUSHAN, CJ

&

A.M.SHAFFIQUE, J.

W.P.C.No.32915 of 2014

Dated this the 26th day of November 2015

J U D G M E N T

Shaffique, J

This writ petition has been filed by the petitioners seeking police protection alleging threat and criminal acts from respondents 6 and 7. It is stated that several crimes have been registered against respondents 6 and 7 and cases have also been charge sheeted. Petitioners apprehend that there might be obstruction and assault from respondents 6 and 7 when they appear in Court for giving evidence in the matter.

2. Having taken into consideration the aforesaid facts, we had issued an interim order on 09/12/2014 which reads as under:

“Government Pleader takes notice for respondents 1 to 5. Issue notice to respondents 6 and 7.

Petitioners' case in the writ petition is that on petitioners' complaint, a criminal case is already proceeding against the party respondents and on 2.10.2014, the petitioners were also assaulted for which a crime has already been registered being crime No.1412 of 2014. He apprehends that again when he

appears in court for giving evidence, he shall be obstructed and assaulted.

3. *Learned State Attorney submits that no complaint has been received after 2.10.2014 by the local police or any such request.*

In the above view of the matter, we observe that as and when the petitioner has to appear in court for the court proceedings, he shall be at liberty to make appropriate request for providing necessary police protection, to the fifth respondent who may look into the matter.

List after service."

3. Learned counsel for the petitioners submits that two more cases are pending, of which petitioners may have to give evidence.

4. We therefore make the interim order absolute and direct the police to take necessary steps, in accordance with law.

This writ petition is disposed of as above.

(sd/-)
(ASHOK BHUSHAN, CHIEF JUSTICE)
(sd/-)
(A.M.SHAFFIQUE, JUDGE)

True Copy

PA to Judge

jsr/26/11/2015