

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 20TH DAY OF NOVEMBER 2015/29TH KARTHIKA, 1937

WP(C).No. 35118 of 2015 (L)

PETITIONER(S) :-

MOIDHEEN, S/O.KUNJUMHAMMED,
MUNDANVALAPPIL HOUSE, KUTTIPURAM P.O.,
THEKKEANGADI, MALAPPURAM - 679 571.

BY ADVS.SRI.NIRMAL V NAIR
SRI.ANEESH JOSEPH
SRI.RILGIN V.GEORGE

RESPONDENT(S) :-

1. THE DISTRICT POLICE CHIEF,
MALAPPURAM DISTRICT, PIN - 676 001.
2. THE DEPUTY SUPERINTENDENT OF POLICE,
TIRUR, MALAPPURAM - 676 101.
3. SUB INSPECTOR OF POLICE, KUTTIPURAM POLICE STATION,
MALAPPURAM - 679 571.

BY STATE ATTORNEY SRI.P.VIJAYARAGHAVAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 20-11-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:

jvt

WP(C).NO.35118 OF 2015

APPENDIX

PETITIONER'S EXHIBITS :-

EXT.P1 :- A TRUE COPY OF THE NOTICE DATED 11.11.2015
ISSUED BY THE 3RD RESPONDENT ALONG WITH ENGLISH TRANSLATION.

RESPONDENT'S EXHIBITS :- NIL.

//TRUE COPY//

P.A. TO JUDGE

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

W.P.(C) No.35118 of 2015

Dated this the 20th day of November 2015

J U D G M E N T

Shaffique, J.

The petitioner has approached this Court alleging harassment by police. It is stated that in respect of an alleged offence against the petitioner's son, the petitioner is unnecessarily being summoned to the police station to inform about the whereabouts of his son. According to the petitioner, his son had gone to Qatar and he is not even taking the phone calls of the petitioner. However, the police is continuing with the harassment.

2. Learned State Attorney on instructions would submit that the police had not called upon the petitioner to appear before the police, whereas, a notice for appearance of the petitioner's son was served on the petitioner. The complaint against the petitioner's son is that he had swindled large amounts from the complainant and it is for the said purpose that the petitioner's son had been called upon to appear at the police station.

3. Having regard to the fact that since the police is conducting an enquiry into the complaint given by a person

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against the petitioner's son, during the investigation process, calling upon the petitioner to give whereabouts of his son does not amount to harassment by police.

4. According to the State Attorney, the police had got information that the petitioner's son is very much in India and is usually visiting the petitioner.

The facts being so, the allegations raised by the petitioner in the writ petition does not amount to any harassment by police. Accordingly, the same is dismissed.

**Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE**

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