

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE THE AG.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.35522 of 2015 (M)

PETITIONER(S):

1. K.A.KUNJUMOIDEEN, AGED 74 YEARS,
S/O LATE V.K.ALIYAR, PEARL VIEW BUNGALOW,
CHANDHIROOR P.O., AROOR VILLAGE, CHERTHALA TALUK,
ALAPPUZHA DISTRICT.
2. ABDUL JALEEL, AGED 56 YEARS,
S/O A.K.BUHARI, 35/1067, GANDHI NAGAR,
VALLAKADAVU P.O., THIRUVANANTHAPURAM.
3. AMEER HAMSA, AGED 64 YEARS,
S/O. MOHAMMED KANNU, NAZEEMA MANZIL,
KUNJALUMOODU KARAMANA, THIRUVANANTHAPURAM.

BY ADV. SRI.ALIAS M.CHERIAN

RESPONDENT(S):

1. THE CIRCLE INSEPCTOR OF POLICE,
PATHANAMTHITTA POLICE STATION, PATHANAMTHITTA,
PIN:689645.
2. THE SUPERINTENDENT OF POLICE,
PATHANAMTHITTA, PIN:689645.
3. B.K.BENJAMINE, AGED 65 YEARS,
S/O JOHN KOSHY, CHERKUNNEL HOSUE, KARMPANA P.O.,
KOOTHATTUKULAM, ERNAKULAM DISTRICT, PIN:686 662.

R1 & R2 BY STATE ATTORNEY SRI.P.VIJAYARAGHAVAN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 02-12-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS:-

EXHIBIT P1: TRUE COPY OF COMPLAINT DATED 21.10.2015.

EXHIBIT P2: TRUE COPY OF FIRST INFORMATION REPORT NO.3072 OF 2015 WITH ENGLISH TRANSLATION.

EXHIBIT P3: TRUE COPY OF AGREEMENT DATED 17.11.2015 WITH ENGLISH TRANSLATION.

EXHIBIT P4: TRUE COPY OF NOTICE DATED 17.11.2015.

RESPONDENT(S)' EXHIBITS:-NIL

KRJ

//TRUE COPY//

PA TO JUDGE

ASHOK BHUSHAN, C.J

&

A.M.SHAFFIQUE, J.

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W.P(C) No.35522 of 2015

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Dated this the 2nd day of December, 2015

JUDGMENT

Ashok Bhushan, CJ

Heard learned counsel for the petitioners and learned State Attorney. No notice is being issued to the third respondent in view of the order which is being passed.

2. This writ petition has been filed alleging police harassment. The petitioners' case is that they are not accused in Crime No.3072 of 2015. However, they have been called at police station on 17.11.2015 and thereafter on 25.11.2015. It is alleged that police authorities are putting pressure on the petitioners to make payment of ₹12 lakhs as per Ext.P3.

3. Learned State Attorney after obtaining instructions, submitted that after the receipt of a complaint, petitioners were summoned by notice on 17.11.2015 and again notice has been sent to

appear on 25.11.2015. It is submitted that police is still investigating the crime and no kind of harassment has been meted out to the petitioners. Allegation that police are putting pressure on the petitioners to make the payment is also incorrect. Police authorities are only investigating the crime and they are not involved in any matter of civil dispute or settlement between the parties.

Recording the aforesaid submissions made by the learned State Attorney, we dismiss the writ petition. We do not find it a fit case of police harassment.

Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE

Sd/-
A.M.SHAFFIQUE
JUDGE

krj.2/12/15

//true copy// P.A to Judge