

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 1ST DAY OF DECEMBER 2015/10TH AGRAHAYANA, 1937

WP(C) .No. 36345 of 2015 (P)

PETITIONER:

M.L.AUGUSTY, AGED 52 YEARS
S/O.LUKA, MAMPLAL HOUSE, KALTHOTTY P O
PIN 685507, IDUKKI DISTRICT

BY ADV. SRI.SHAIJAN JOSEPH

RESPONDENTS:

1. STATE OF KERALA
DEPARTMENT OF HOME
REP BY THE SECRETARY DEPARTMENT OF HOME
KERALA GOVERNMENT, SECRETARIAT
THIRUVANANTHAPURAM 695001

2. DIRECTOR GENERAL OF POLICE
POLICE DIRECTORATE VAZHUTHAKKADU
THIRUVANANTHAPURAM , KERALA 695012

3. INSPECTOR GENERAL OF POLICE
KERALA POLICE KOCHI RANGE, ERNAKLAM, KOCHI-682018

BY GOVERNMENT PLEADER SMT.MAYA.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 01-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

WP(C) .No. 36345 of 2015 (P)

APPENDIX

PETITIONER(S) ' EXHIBITS :

P1:- TRUE COPY OF THE COMPLAINT DTD 30/1/2013

P2:- TRUE COPY OF THE INFORMATION RECEIVED DTD 9/10/2014

P3:- TRUE COPY OF THE PETITION SUBMITTED BEFORE THE HOME
MINISTER DTD 10/8/2015

RESPONDENT(S) ' EXHIBITS : NIL

//TRUE COPY//

P.A TO JUDGE.

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B.KEMAL PASHA, J.

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W.P.(C). No. 36345 of 2015

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Dated this the 1st day of December, 2015

JUDGMENT

The petitioner has come up with a request to have a fruitful investigation in the complaint preferred by him. The complaint in short is that when the petitioner appeared at the office of the Dy.S.P, there was a verbal bombing against him by which the petitioner became scared and consequently, he became unconscious. After few minutes, he regained consciousness and then he was provided with drinking water and sent away.

2. In fact, there is no specific allegation that he was criminally intimidated. Further, the allegations in the complaint do not constitute an offence under Section 294(b) IPC also. In case of any such offence, by

making specific allegations for inviting such offence, the petitioner can approach the concerned Judicial First Class Magistrate's Court with a private complaint to have an investigation in it under Section 156(3) Cr.P.C. Presently, the materials before this Court are not sufficient to direct an investigation in the matter.

With the aforesaid liberty to the petitioner, this writ petition is closed.

Sd/-
B.KEMAL PASHA, JUDGE

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