

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&

THE HONOURABLE MR.JUSTICE A.M.SHAFIQUE

TUESDAY, THE 22ND DAY OF DECEMBER 2015/1ST POUSHA, 1937

WP(C).No. 38472 of 2015 (H)

PETITIONER :

BINU VASUDEVAN AGED 38 YEARS
S/O. VASUDEVAN, LEKSHMI GAYATHRI, THENGUMKAVU P.O.
KONNI, PATHANAMTHITTA DISTRICT.

BY ADVS.SRI.S.SHANAVAS KHAN
SMT.S.INDU

RESPONDENTS :

1. THE DISTRICT POLICE CHIEF, PATHANAMTHITTA - 689 545.
2. THE SUB INSPECTOR OF POLICE,
KONNI POLICE STATION, PATHANAMTHITTA - 689 545.
3. SALITH, AGED 28 YEARS,
S/O. SADANANDAN, KAIKALETHU HOUSE, MALLASSERY P.O.
POOMKAVU, PATHANAMTITTA DISTRICT.
4. LATHIKA, AGED 55 YEARS,
W/O. SADANANDAN, KAIKALETHU HOUSE, MALLASSERY P.O.
POOMKAVU, PATHANAMTITTA DISTRICT.
5. SALEESHA, AGED 26 YEARS,
D/O. SADANANDAN, KAIKALETHU HOUSE, MALLASSERY P.O.
POOMKAVU, PATHANAMTITTA DISTRICT.

R1 & R2 BYSTATE ATTORNEY, SRI.P. VIJAYARAGHAVAN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
22-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1-TRUE COPY OF THE PLAINT IN O.S 43/2015 FILED BEFORE THE
HONOURABLE SUB COURT, PATHANAMTHITTA.

EXT.P2-TRUE COPY OF THE CHEQUE DATED 23/05/2015 FOR RS.4 LAKHS ISSUED
BY THE 3RD RESPONDENT TO THE PETITIONER.

EXT.P3-TRUE COPY OF THE LEGAL NOTICE DATED 14/07/2015 ISSUED TO THE
3RD RESPONDENT.

EXT.P4-TRUE COPY OF THE REPRESENTATION DATED 26/11/2015 PREFERRED BY
THE PETITIONER BEFORE THE DISTRICT POLICE COMPLAINTS AUTHORITY.

EXT.P5-TRUE COPY OF THE POSTAL RECEIPT EVIDENCING THE DESPATCH
OF EXHIBIT-P4.

EXT.P6-TRUE COPY OF THE COMPLAINT DATED 26/11/2015 PREFERRED BY THE
PETITIONER BEFORE THE DISTRICT POLICE CHIEF, PATHANAMTHITTA.

EXT.P7-TRUE COPY OF THE POSTAL RECEIPT EVIDENCING THE DESPATCH OF
EXHIBIT-P4.

EXT.P8-TRUE COPY OF THE POSTAL RECEIPT EVIDENCING THE DESPATCH OF
COMPLAINT TO I.G OF POLICE, TRIVANDRUM.

RESPONDENTS' EXHIBITS :

NIL

/TRUE COPY/

PA TO JUDGE

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

W.P.(C) No. 38472 OF 2015

Dated this the 22nd day of December, 2015

JUDGMENT

Ashok Bhushan, C.J.

Heard learned counsel for the petitioner and learned State Attorney. No notice is being issued to respondent Nos.3 to 5 in view of the order which is being passed.

2. The petitioner has filed this writ petition alleging police harassment. Petitioner's case is that police authorities are unnecessarily summoning the petitioner. Petitioner also claims to have submitted a complaint on 03.09.2015.

3. Learned State Attorney submits that a complaint was received from the 5th respondent with reference to which both petitioner and 5th respondent were called. The police after recording the statement of petitioner and 5th respondent came to know that there is a financial transaction between the parties and hence the complaint has been closed on 18.11.2015 itself. It is submitted that the petitioner has not been called thereafter with regard to the said complaint.

Learned State Attorney further submits that crimes have been registered against each other on the complaint filed by the parties.

4. Be that as it may, with regard to the incident which is complained in the writ petition, the complaint having already been closed, we see no reason to issue any direction in the writ petition.

In view of the aforesaid, the Writ Petition is closed.

**Ashok Bhushan,
Chief Justice.**

**A.M. Shaffique,
Judge.**

WP (C) No. 38472 of 2015

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