

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.M.JOSEPH
&
THE HONOURABLE MR.JUSTICE K.HARILAL

FRIDAY, THE 7TH DAY OF SEPTEMBER 2012/16TH BHADRA 1934

WP(C).No. 20413 of 2012 (B)

PETITIONER(S) :

A.S.RADHAKRISHNAN, AGED 47 YEARS
S/O.SREEDHARAN NAIR, JAYA NIVAS, AROOR
ALAPPUZHA.

BY ADVS.SRI.P.KRISHNA KUMAR (ALAPPUZHA)
SRI.R.SURAJ KUMAR
SRI.M.KISHORKUMAR
SRI.SUNIL J.CHAKKALACKAL

RESPONDENT(S) :

1. THE DISTRICT POLICE CHIEF
OFFICE OF THE DISTRICT POLICE CHIEF
ALAPPUZHA-688001.
2. SUB INSPECTOR OF POLICE
ALAPPUZHA SOUTH POLICE STATION, ALAPPUZHA-688001.
3. SHAMSUDHEEN
S/O.MOOSAKUTTY, MOOSA MANSIL, THIRUVAMPADY P.O.
PULAYANVAZHY, ALAPPUZHA, PIN 688002.

R1 & R2 BY P.VIJAYARAGHAVAN (STATE ATTORNEY)

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
07-09-2012, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

jm

WPC NO. 20413 OF 2012

APPENDIX

PETITIONER'S EXHIBITS

P1: COPY OF THE COMPLAINT FILED BEFORE THE J.M.F.C(I), ALAPPUZHA

P2: COPY OF THE ORDER OF SESSIONS COURT, ALAPPUZHA IN CrI.M.P. NO. 2904/2012

P3: COPY OF THE COMPLAINT MADE TO THE 1ST RESPONDENT DATED 5/08/12, ALONG WITH ITS COURIER RECEIPT.

RESPONDENTS EXHIBITS : NIL

\\ TRUE COPY\\

PA TO JUDGE

jm

K. M. JOSEPH & K. HARILAL, JJ.

W.P.(C). NO. 20413 OF 2012 B

Dated this the 7th September, 2012

JUDGMENT

K.M. Joseph, J.

Petitioner has approached this Court seeking the following reliefs:

“i) Issue a writ of mandamus or any other appropriate writ, order or direction, directing the first respondent not to harass the petitioner upon the complaint of third respondent.

ii) Issue a writ of mandamus or any other appropriate writ, order or direction, directing the 1st respondent to take immediate action against the second respondent, considering Ex.P3 complaint forthwith.”

2. Briefly put, the case of the petitioner, is as follows:

Petitioner has filed Ext.P1 complaint before the Judicial First Class Magistrate Court, Alappuzha against the third respondent. It is stated that the same was forwarded to the second respondent,

Sub Inspector of Police for investigation. The third respondent moved for anticipatory bail, which was dismissed vide Ext.P2 order. It is alleged that the civil police officer has demanded the petitioner to meet the second respondent for having a settlement of the dispute. Complaining of harassment by police, petitioner is before us.

3. Learned State Attorney would submit that there is no basis at all for the Petition. Petitioner apprehends that a complaint may be filed by the third respondent. Petitioner was called only once for recording his statement on his complaint. We record the said submission. We also record the submission of the learned State Attorney that no complaint as such has been filed by the third respondent, as things stand, and close the Writ Petition.

Sd/=

**K. M. JOSEPH,
JUDGE**

Sd/=

**K. HARILAL,
JUDGE**

kbk.

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