

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

&

THE HONOURABLE MR. JUSTICE M.L.JOSEPH FRANCIS

SATURDAY, THE 30TH JANUARY 2010 / 10TH MAGHA 1931

WP(C).No. 2699 of 2010(J)

PETITIONER(S):

ANILKUMAR, S/O.PONNAN NADAR,
VALIYAVILA PUTHEN VEEDU,
PANAYARA KUNNU, VENGANNOOR VILLAGE,
NEYYATTINKARA TALUK.

BY ADV. SRI.R.GOPAN

RESPONDENT(S):

1. SUB INSPECTOR OF POLICE,
BALARAMAPURAM POLICE STATION.

2. SUPERINTENDENT OF POLICE (RURAL),
THIRUVANANTHAPURAM

BY GOVERNMENT PLEADER SHRI P.N. SUKUMARAN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 30/01/2010, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

**K. M. JOSEPH &
M.L. JOSEPH FRANCIS, JJ.**

W.P(C). NO. 2699 OF 2010 J

Dated this the 30th January, 2010

JUDGMENT

K.M. Joseph, J.

Petitioner seeks a direction to the first respondent not to harass the petitioner. He also seeks a direction to the second respondent to enquire into the matter and take appropriate action against the first respondent.

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

Petitioner is an autorickshaw driver. It is stated that the petitioner and one Mr. Gilbert are friends and neighbours. Mr. Gilbert borrowed an amount of Rs.30,000/= from the petitioner in February, 2009 , promising to repay the same in December, 2009. But, he did not repay the amount. Petitioner demanded the money back. There was some oral altercation. It is stated that Mr. Gilbert filed a false complaint before the Balaramapuram Police Station. On 27.12.2009, 31.12.2009 and

19.1.2010, it is alleged that the Sub Inspector of Police came to the house of the petitioner and informed that he has to appear before the Police Station, otherwise he will be implicated in a non-bailable offence and harassing the petitioner.

3. Today, the learned Government Pleader got instructions and submitted that Mr. Gilbert filed a complaint that his wife and children were kidnapped by the petitioner and it is stated that it was in connection with that, the questioning was done and it is further stated that the wife is returned and the petitioner will not be harassed. We record this submission and close the Writ Petition.

Sd/=
K.M. JOSEPH,
JUDGE

Sd/=
M.L. JOSEPH FRANCIS,
JUDGE

kbk.

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PS to Judge