

Murugan Vs. State of Kerala

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Court : Kerala

Decided On : Oct-30-2014

Judge : Honourable the Ag.Chief Justice Mr.Ashok Bhushan

Appellant : Murugan

Respondent : State of Kerala

Judgement :

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 THURSDAY, THE 30^H DAY OF OCTOBER 2014 8TH KARTHIKA, 1936 WP(C).No. 25133 of 2014 (N) ----- PETITIONERS : ----- 1. D. MURUGAN, AGED 51 YEARS SON OF DURAISWAMI, PROPRIETOR, MATHA FOODS KP IV/684, MONTHACHAL ROAD, KUTHIATHODE P.O.CHAMANAD, CHERTHALA, ALAPPUZHA.

2. RAMABABU, AGED 23 YEARS SON OF D.MURUGAN, RESIDING AT MATHA FOODS, KP IV/684 MONTHACHAL ROAD, KUTHIATHODE, P.O.CHAMANAD CHERTHALA, ALAPPUZHA. BY ADV. SRI.JOSE TOM C. KANDATHIL RESPONDENTS : ----- 1. STATE OF KERALA, REPRESENTED BY HOME SECRETARY, THIRUVANANTHAPURAM-695 001.

2. THE CIRCLE INSPECTOR OF POLICE, KUTHIATHODE, CHERTHALA, ALAPPUZHA DISTRICT-688 001.

3. THE SUB INSPECTOR OF POLICE, KUTHAITHODE, CHERTHALA, ALAPPUZHA DISTRICT-688 001.

4. SUDHAKARAN @ SUDHAN, SON OF NARAYANAN, PUTHENTHARA HOUSE, MOHATHACHAL ROAD KUTHIATHODE, P.O.CHAMANAD, CHERTHALA, ALAPPUZHA-688 001. R1 TO R3 BY STATE ATTORNEY, SRI. P. VIJAYARAGHAVAN. THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 30.10.2014, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: WP(C).No. 25133 of 2014 (N) ----- APPENDIX PETITIONERS' EXHIBITS : ----- EXHIBIT P1. TRUE COPY OF POLICE COMPLAINT DATED 16.09.2014 FILED BEFORE THE SUB INSPECTOR OF POLICE, KUTHIATHODE POLICE STATION BY THE FIRST PETITIONER. EXHIBIT P2. TRUE COPY OF RECEIPT NO.697/2013 DATED 17.07.2013 ISSUED FROM THE POLICE STATION KUTHIATHODE. EXHIBIT P3. TRUE COPY OF RECEIPT NO.PA232013 DATED 22.07.2013 ISSUED FROM THE POLICE STATION KUTHIATHODE. EXHIBIT P4 SERIES:- PHOTOS EVIDENCING THE ATROCITIES COMMITTED BY THE RESPONDENT NO.3 AND HIS GOONDAS. EXHIBIT P5. TRUE COPY OF STATEMENT OF ACCOUNT FROM 01.04.2012 TO 31.03.2013 ISSUED FROM CANARA BANK, AROOR BRANCH, CHERTHALA. RESPONDENTS' EXHIBITS : ----- NIL /TRUE COPY/ PA TO JUDGE ASHOK BHUSHAN, Ag.C.J.

& A.M. SHAFFIQUE, J.

----- W.P.(C) No. 25133 OF 2014- -----
----- Dated this the 30th day of October, 2014

JUDGMENT

Shaffique,J.

Petitioners have approached this Court seeking police protection. According to them, the first petitioner is running a business unit by engaging his own workers. He was attacked by certain people in the locality but he alone was made an accused and he was taken into judicial custody. Request now made is to enable him to carry on the business activity.

2. Learned Government Pleader on instructions would submit that the petitioner had engaged certain migrant labourers in his unit. There was allegation of nuisance being caused which was questioned by the people in the locality. Police have intervened in the matter and there was an allegation that the petitioner was charged under Section 307 IPC. Police had taken a case against the petitioner and he was taken into custody. He was remanded to judicial custody and now he is on bail. WP(C) No. 25133 of 2014 -:2:- 3. Having regard to the factual situation we are not inclined to grant any relief sought in the writ petition. If the petitioner has any case that any offence is being committed against him by the party respondents or anybody else, he is always at liberty to file a complaint before the Police which shall be looked into and appropriate action shall be taken by the Police authorities. With the above observation, the Writ Petition is disposed of. Ashok Bhushan, Acting Chief Justice. A.M. Shaffique, Judge. ttb/31/10 WP(C) No. 25133 of 2014 -:3:-

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