
(2011) 08 KL CK 0028

In the High Court Of Kerala

Case No : Writ Petition (C) . No. 19729 of 2011 (M)

Omana and Sandhya

APPELLANT

Vs

State of Kerala and Others

RESPONDENT

Date of Decision : 02-08-2011

Acts Referred:

Penal Code, 1860 (IPC) — Section 147, 427, 447, 506

Citation : (2011) 08 KL CK 0028

Hon'ble Judges : Pius C. Kuriakose, J;C.K. Abdul Rahim, J

Bench : Division Bench

Advocate : Ajaya Kumar G, for the Appellant; P.B. Sahasranaman, for the Respondent

Judgement

Pius C. Kuriakose, J.—In this Writ Petition, the Petitioners, two ladies seek protection for their properties and also for their lives from what is described as illegal threats from the party Respondents 4 to 8. The third Respondent in the Writ Petition is the Sub Inspector of Police, Karunagappally Police Station. The learned Counsel for the Respondents Sri.T.S. Harikumar submitted that this Court may not intervene in the dispute between the parties which is essentially a civil dispute over a pathway. The Petitioners themselves have approached the civil court, it was pointed out. As regards the alleged threat on the lives of the Petitioners, Sri.Harikumar submitted that there is No. such threat and the Respondents can undertake W.P. before this Court that they will not do anything for endangering the lives of the Petitioners.

2. Smt. C.M. Charisma, the learned Government Pleader submitted that the third Respondent has nothing to do with the Petitioners and the party Respondents. But on contacting the Sub Inspector of Police, Chavara Thekkumbhagam before whom the Petitioners submitted the complaint, the Government Pleader was informed that acting on the complaint submitted by the Petitioners, Chavara Thekkumbhagam police has registered a crime as Crime No. 467/11 against Respondents 4, 6 and 7 under Sections 427, 447, 147 and 506 Indian Penal

Code, 1860. The learned Government Pleader submitted further that the investigation is over and final report is submitted and the learned Magistrate has taken cognizance of the charge sheet laid.

3. Having considered the submissions, we are convinced that the police are taking prompt action on the complaint submitted by the Petitioners. We are sure that Chavara Thekkumbhagam police will continue to take prompt action if any further complaint is submitted to him by the Petitioners and hold due enquiries. As for the dispute over the pathway, it is needless to mention that the said dispute is to be got settled through the process of civil court.