

**BEFORE THE KERALA STATE HUMAN RIGHTS COMMISSION,
THIRUVANANTHAPURAM**

**Present: Mr.Justice N.Dhinakar,
Hon'ble Chairperson**

Dated this the 10th February,, 2011.

H.R.M.P.No 279 of 2007

Petitioners : 1) Kanakamma, W/o Anandan,
Moolayil veed, Kilikollur
Kanimel cheri, Kollam.
2) Raji, W/o Gireesh, do.
3) Radhika, D/o Kanakamma.
Respondent : Sub Inspector of Police,
East Police Station, Kollam.

ORDER

The complaint of the petitioners is that Gireesh, the first petitioner's (P1) son who is the husband of the second petitioner (P2) was harassed by Babukumar, a Police Constable in the Special Squad of East Police Station, Kollam, on account of personal vengeance. According to them, the said Babukumar along with the respondent Sub Inspector of Police reached their home, damaged the door and threatened them stating that Gireesh will be implicated in the undetected cases.

In the report submitted by the Circle Inspector of Police, East Police Station, Kollam, it is stated that Babukumar went to the house of P1 at 8.30 p.m. on 23-1-2007 on an information received that Puttu Kunjumon, an accused in a case involving the murder of a police constable, is given shelter by the said Gireesh. According to the report, when the police party reached the house and conducted search in the house of Gireesh a person was seen running out of the house, jumping over the wall and running away in darkness who could not be

caught by the police. In the report it is further stated that when P1 was questioned she stated that the person who ran away is her son but the enquiry in the neighbourhood revealed that the said person is not the son of P1 and it was Puttu Kunjumon. According to the report, as the identity of the person who ran away from the house could not be established due to lack of materials no legal action was taken against the owner of the house for harbouring a criminal. It is also stated in the report that Gireesh is an accused in four crimes registered for offences of theft and robbery and he is a close friend of Puttu Kunjumon, a dangerous criminal and that the allegations in the petition are false and this HRMP is filed fearing action against Gireesh.

On going through the report I do not find any reason to pass any further orders. If the petitioners are aggrieved it is for them to approach the Court concerned for seeking appropriate relief as this Commission cannot pass any orders anticipating implication of Gireesh in the cases by police as stated by the petitioners. It could also be seen from the report that Puttu Kunjumon is an absconding accused in a crime and in the above circumstances if the petitioners have any grievance as regards the search of the house they have to approach only the Court since it relates to investigation and this Commission has no jurisdiction to interfere in the investigation and to pass orders in view of the judgment of the Supreme Court in 'Sakri Vasu Vs. State of U.P and Others (AIR 2008 SC 907)'.
The petition is closed.

Justice N. Dhinakar,
Chairperson.