

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.R. RAMACHANDRA MENON

&

THE HONOURABLE MR. JUSTICE P.D. RAJAN

TUESDAY, THE 30TH DAY OF DECEMBER 2014/9TH POUSHA, 1936

WP(Crl.).No. 526 of 2014 (S)

PETITIONER(S) :

PRAVEEN.C AGED 33 YEARS, S/O. CHANTHU,
PRAVEEN NIVAS, ERAVAKKODE,
PATTANCHERRY P.O., CHITTUR TALUK,
PALAKKAD DISTRICT- 678 532.

BY ADVS.SRI.P.HARIDAS
SMT.S.SIKKY

RESPONDENT(S) :

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1. DISTRICT POLICE CHIEF, PALAKKAD-678 001.
 2. CIRCLE INSPECTOR OF POLICE, NENMARA POLICE STATION,
NENMARA, PALAKKAD- 678 501.
 3. SUB INSPECTOR OF POLICE, NENMARA POLICE STATION,
NENMARA, PALAKKAD - 678 501.
 4. DIVYA. N. W/O. PRAVEEN.C.,
PUZHAKKAL HOUSE, NSS,
NENMARA COLLEGE (P.O.), NENMARA,
PALAKKAD, WORKING AS CAPTAIN,
MNS, AIR FORCE COMMAND HOSPITAL, BANGALORE,
RESIDING AT 11/6A, GROUND FLOOR, UDANI LAYOUT,
OPPOSITE STATE BANK OF INDIA, ULSOOR, BANGALORE,
KARNATAKA- 560 008.
 5. NARAYANAN, PUZHAKKAL HOUSE, NSS NENMARA COLLEGE (P.O.),
NENMARA, PALAKKAD- 678 501.
 6. SATHYABHAMA, W/O. NARAYANAN, PUZHAKKAL HOUSE,
NSS, NENMARA COLLEGE (P.O.), NENMARA,
PALAKKAD- 678 501.
 7. DEEPAK, S/O. NARAYANAN, PUZHAKKAL HOUSE,
NSS, NENMARA COLLEGE (P.O.), NENMARA,
PALAKKAD - 678 501.

R1-R3 BY ADV. SRI. K.I.ABDUL RASHEED - ADDL.DIRECTOR GENERAL
OF PROSECUTION

THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD ON
30-12-2014, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

WP(Crl.).No. 526 of 2014 (S)

APPENDIX

EXT.P1: COPY OF THE COMPLAINT FILED BY THE PETITIONER'S FATHER
BEFORE PUTHUNAGARAM POLICE DATED 02.06.2014.

EXT.P2: COPY OF THE TRANSCRIBED COPY OF FIR (CRIME SUMMARY) AND
FIS IN CRIME NO.959/2014 OF PUTHUNAGARAM POLICE
DATED 09.09.2014.

EXT.P3: COPY OF THE COMPLAINT FILED BY THE PETITIONER BEFORE THE
3RD RESPONDENT DATED 29.11.2014.

TRUE COPY

PA TO JUDGE.

acd

P.R.RAMACHANDRA MENON & P.D. RAJAN, JJ.

W.P.(Crl)No.526 of 2014

Dated this the 30th day of December, 2014

JUDGMENT

P.D.Rajan,J.

This writ petition (Criminal) is filed by the husband of the 4th respondent alleging illegal detention. The petitioner married the 4th respondent on 30.4.2011. At the time of marriage, the petitioner was working in Delhi Metro as Technician and the 4th respondent was working in Agra as a Military Nurse. In the wedlock, a daughter was born to them. Subsequently, the petitioner was transferred to Bangalore. After joining Bangalore, the petitioner demanded the 4th respondent to resign her job, but she is reluctant to resign

her job. Subsequently, the petitioner resigned his job and joined in Kochi Metro. The petitioner alleges that the 4th respondent is illegally detaining his daughter.

2. The learned Government Pleader took notice for respondents 1 to 3 and notice issued to the other respondents. The 4th respondent was directed to produce the minor child 'Sanavi Praveen' before this Court. Accordingly, the 4th respondent appeared before this Court with the minor child.

3. We interacted with the petitioner and the 4th respondent. The 4th respondent submitted that the child is in her safe custody. There is no illegal detention. We are satisfied with the answers given by the 4th respondent. Prima facie case is not made out to invoke the jurisdiction under Article 226 of the Constitution of India and

accordingly, this matter is closed, without prejudice to the right of the parties to approach the appropriate Forum.

P.R.RAMACHANDRA MENON, JUDGE.

P.D. RAJAN, JUDGE.

acd

