

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.D.RAJAN

TUESDAY, THE 6TH DAY OF OCTOBER 2015/14TH ASWINA, 1937

Crl.Rev.Pet.No. 1007 of 2007 (E)

AGAINST THE JUDGMENT IN CRL.APPEAL NO. 966/2005 of SESSIONS COURT,
ERNAKULAM DATED 07-03-2006

AGAINST THE ORDER IN CRL.MP NO.84/2005 of CHIEF JUDL.MAGISTRATE,
ERNAKULAM DATED 27.10.2005

REVISION PETITIONER(S)/APPELLANT/ACCUSED:

MURALI, S/O. KRISHNAN KUTTY,
RESIDING AT AMBILI, KRISHNA SWAMY ROAD, PULLEPPADY
ERNAKULAM, KOCHI-35, ERNAKULAM VILLAGE
KANAYANNUR TALUK.

BY ADV. SRI.S.SUDHISH KUMAR

RESPONDENT(S)/RESPONDENT/COMPLAINANT:

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1. THE DIRECTOR,
CHILDLINE, KOCHI.
 2. STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM.
 3. SREEDEVI, D/O. LATE AYYAPPAN,
RESIDING AT IREPARAMBIL HOUSE, SOUTH CHITTOOR
CHERANELLOOR VILLAGE, ERNAKULAM DISTRICT.

R2 BY PUBLIC PROSECUTOR SRI. N. SURESH
R, BY ADV. SMT.SANDHYA RAJU
R, BY ADV. SMT.P.A.JAIMOLE
R, BY ADV. SMT.RASHMI RAMESH
R, BY ADV. SMT.SABNA BABU

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD
ON 06-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

acd

P.D. RAJAN, J.

Crl.R.P.No.1007 of 2007

Dated this the 6th day of October, 2015

ORDER

The revision petitioner, who is the appellant in Crl.Appeal No.966/2005 on the file of Sessions Judge, Ernakulam, challenges the judgment of concurrent direction to give custody of the juvenile to her mother. In Crl.M.P.No.84/2005, the Principal Magistrate (Chief Judicial Magistrate), Ernakulam directed to give custody to the mother. After hearing both parties, the appellate Court dismissed the application. Being aggrieved by that, the revision petitioner approached this Court with the revision petition.

2. The petitioner's case is that one minor Diya, aged

12 years is his daughter. His marriage with the 3rd respondent was dissolved and after dissolution of the marriage, former wife remarried and the child was residing with him and studying in VIIth standard in Nava Nirman Senior Secondary School. On 20.10.2005, the teacher reported to the child line, Kochi that the minor child was facing dangerous situation and her father was physically and mentally harassing her. On the basis of the report received from the child line to the Principal Magistrate, he initiated proceedings under Juvenile Justice Care & Protection Act and the child was produced before Court . He satisfied that child requires care and protection, she was entrusted with her mother, which was challenged in the appeal.

3. When the matter came up for hearing, I have gone through the order passed by the Court below. The

order was passed by the learned Magistrate on 27.10.2005.

At that time, the child was aged 12 years. Now she attained more than 21 years and residing with her mother.

Considering the facts and circumstances of the case, the matter has now become infructuous, accordingly, the revision petition is dismissed as infructuous.

P.D. RAJAN, JUDGE.

acd

