

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

THURSDAY, THE 4TH DAY OF JUNE 2015/14TH JYASHTA, 1937

WP(C).No. 16573 of 2015 (V)

PETITIONERS :

1. JAYAKUMAR, AGED 30 YEARS
S/O SAMIKANNU, PANDAVAR MEDU HOUSE, GRAMBI P.O.
VANDIPERIYAR, IDUKKI DISTRICT.
2. DEEPA AGED 23 YEARS
S/O SMION, MANIYAKARANPATTY, ANDIPATTI
THENI DISTRICT, TAMIL NADU.

BY ADVS.SRI.T.A.UNNIKRISHNAN
SRI.K.S.PRAVEEN

RESPONDENTS :

1. THE STATION HOUSE OFFICER
VANDIPERIYAR, IDUKKI, PIN:685533.
2. THE SUB INSPECTOR OF POLICE
ANDIPATTI, THENI, TAMILNADU, PIN:625513.
3. THE DISTRICT CHIEF OF POLICE
IDUKKI, THODUPUZHA, PIN:685584.

R1 TO R3 BY STATE ATTORNEY, SRI. P. VIJAYARAGHAVAN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
04-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**ASHOK BHUSHAN, CJ
&
A.M.SHAFFIQUE, J**

W.P(C).No. 16573 of 2015

Dated this the 4th June, 2015

JUDGMENT

Ashok Bhushan, CJ.

Heard learned counsel for the petitioners and the learned State Attorney. No notice is being issued to the second respondent, in view of the order, which is being passed.

2. Petitioners' case in the Writ Petition is that the petitioners have decided to marry each other. It is submitted that the petitioners are living at the residence of the first petitioner for the last three months. It is submitted that at the instance of the parents of the second petitioner, the second respondent Sub Inspector of Police is harassing the petitioners. It is submitted that the first respondent took the first petitioner in custody and produced before the Magistrate on 2.1.2015 and the case was closed.

3. The learned State Attorney, on instructions, submitted that the second respondent Sub Inspector of Police has come in pursuance of a man missing case registered at Tamil Nadu and there is no harassment by the Police as alleged.

4. Learned counsel for the petitioners submits that the petitioners are ready to appear before the Magistrate concerned to record their statement within two weeks. They fear that their lives are in danger in the event they are taken by the second respondent.

5. In the above facts of the case, we are of the view that if petitioners themselves are ready to appear before the Magistrate concerned at Tamil Nadu, they may do so. We observe that in the event the petitioners are ready to appear before the Magistrate concerned, the second respondent shall ensure that the petitioners safely appear before the Magistrate for recording their statement.

With the above observation, the Writ Petition is disposed of.

**ASHOK BHUSHAN
CHIEF JUSTICE**

**A.M.SHAFFIQUE
JUDGE**

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