

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 1ST DAY OF OCTOBER 2015/9TH ASWINA, 1937

WP(C).No. 24791 of 2014 (Y)

PETITIONER(S):

- 1. FATHIMATH SUHARA P.A., AGED 25 YEARS,
W/O.SUHAIL CHENOTH, CHENOTH HOUSE, AARALAM AMSHAM,
KOYODU, MANATHANNA P.O., IRITTY THALUK,
KANNUR DISTRICT - 670 677.**
- 2. SUHAIL CHENOTH, AGED 26 YEARS,
S/O.SULAIMAN, CHENOTH HOUSE, AARALAM AMSHAM,
KOYODU, MANATHANNA P.O., IRITTY THALUK,
KANNUR DISTRICT - 670 677.**

**BY ADVS.SRI.M.R.ARUNKUMAR
SRI.P.SHAMMI NAVAS**

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY TO GOVERNMENT,
SECRETARIAT, THIRUVANANTHAPURAM - 695 001.**
- 2. THE DIRECTOR GENERAL OF POLICE,
KERALA, THIRUVANANTHAPURAM - 695 001.**
- 3. DISTRICT POLICE CHIEF,
KANNUR DISTRICT, KANNUR - 670 001.**
- 4. THE DEPUTY SUPERINTENDENT OF POLICE,
IRITTY, KANNUR - 670 703.**
- 5. THE SUB INSPECTOR OF POLICE,
ARALAM POLICE STATION, ARALAM P.O., KANNUR - 670 704.**
- 6. THE DIRECTOR,
CENTRAL BUREAU OF INVESTIGATION, PLOT NO.5-B,
CGO COMPLEX, LODHI ROAD, NEW DELHI - 110 003.**

**R1-R5 BY ADV. STATE ATTORNEY SRI.P.VIJAYARAGHAVAN
PUBLIC PROSECUTOR SMT.P.MAYA
R6 BY SRI.P.CHANDRASEKHARA PILLAI, C.B.I.**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
01-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 24791 of 2014 (Y)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1. COPY OF THE FIRST INFORMATION REPORT IN CRIME NO.310 OF 2014
OF ARALAM POLICE STATION DATED 01.08.2014.**

**EXHIBIT P2. COPY OF THE REPRESENTATION FILED BY THE 1ST PETITIONER
BEFORE THE HOME MINISTER OF KERALA DATED 26.08.2014.**

**EXHIBIT P3. COPY OF THE JUDGMENT OF THIS HONOURABLE COURT IN
W.P.(C)NO.18083 OF 2005 DATED 22.08.2005.**

EXHIBIT P4. COPY OF THE PHOTOGRAPH OF MISSING CHILD DIYA.

**EXHIBIT P5. COPY OF THE PETITIONER FILED BEFORE THE INSPECTOR GENERAL
OF POLICE, ERNAKULAM RANGE DTD.23.10.2014.**

**EXHIBIT P6: COPY OF THE CIRCULAR NO.32/2009 ISSUED BY THE DIRECTOR
GENERAL OF POLICE DTD.12.8.2009.**

**EXHIBIT P7: COPY OF THE CIRCULAR NO.10 OF 2010 ISSUED BY THE DIRECTOR
GENERAL OF POLICE DTD.21.2.2010.**

**EXHIBIT P8: COPY OF THE CIRCULAR NO.14 OF 2013 ISSUED BY THE STATE POLICE
CHIEF DTD.26.6.2013.**

**EXHIBIT P9: COPY OF THE CIRCULAR NO.16 OF 2013 ISSUED BY THE STATE POLICE
CHIEF DTD.1.9.2013.**

**EXHIBIT P10: COPY OF THE CIRCULAR NO. 17 OF 2014 ISSUED BY THE STATE
POLICE CHIEF DTD.12.7.2014.**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

B. KEMAL PASHA, J.

.....
W.P.(C) No.24791 of 2014 Y
.....

Dated this the 1st day of October, 2015

J U D G M E N T

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The matter is relating to the missing of a child named Diya Fathima. The investigation conducted by the local police did not yield any result. Consequently, after much clamour, it seems that a special team has been constituted under the direct supervision of the District Police Chief, Kannur, with the Deputy Superintendent of Police, District Crime Branch as the chief investigating officer as per order dated 04.04.2015 of the State Police Chief.

2. A detailed report has been filed by the District Police Chief, Kannur, which shows that the special team has been making earnest efforts to trace out the missing child. The courses adopted by the investigation team have been detailed in the report. It has been reported that the earnest efforts made by the investigation team also could not locate

the missing girl so far. Still, they are making efforts. The special investigation team is directed to make further earnest efforts in the matter. The report produced by the learned State Attorney today is recorded.

By recording the said statement and by directing the special investigation team to continue with the investigation by putting earnest efforts to trace out the child, this writ petition is presently closed. In case of any latches from the part of the special investigation team, the petitioner is free to approach this Court again.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/01/10

// True Copy //

PA to Judge