

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE MR.JUSTICE C.K.ABDUL REHIM
&
THE HONOURABLE MR. JUSTICE K.RAMAKRISHNAN**

WEDNESDAY, THE 24TH DAY OF JUNE 2015/3RD ASHADHA, 1937

WP(Crl.).No. 464 of 2014 (S)

PETITIONER(S)/PETITIONER:

**AJEESH P.G., AGED 26 YEARS,
S/O.GOPALAN, PARAPPA HOUSE, PARAPPA,
VATTAMTHATTA P .O., KASARAGOD DIST.**

**BY ADVS.SRI.B.VINOD
SRI.I.V.PRAMOD**

RESPONDENT(S)/RESPONDENTS:

- 1. SUB INSPECTOR OF POLICE,
ADOOR POLICE STATION, KASARAGOD DIST, PIN-671 123.**
- 2. SUB INSPECTOR OF POLICE,
BEDAKOM POLICE STATION,
KASARAGOD DISTRICT PIN-671 121.**
- 3. SUPERINTENDENT,
MAHILA MANDIRAM, PARAVANADUKKAM, KASARAGOD DIST.
PIN-671 121.**
- 4. DEPUTY DIRECTOR OF EDUCATION, KASARAGOD COLLECTORATE,
VIDYANAGAR, KASARAGOD, PIN-671 123.**
- 5. PUSHAPPAKARAN,
PANDI, VELLARIKAYA, VIA
MULIYAR, KASARAGOD-PIN-671 542.**
- 6. THE DISTRICT COLLECTOR, VIDYANAGAR,
KASARAGOD, PIN-671 123**

**R1-R4 BY ADV. DIRECTOR GENERAL OF PROSECUTION
GOVERNMENT PLEADER SRI. JOBY JOSEPH**

**THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD ON
24-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

C.K. ABDUL REHIM &

K. RAMAKRISHNAN, JJ.

W.P.(Crl.) No.464 of 2014

Dated this the 24th day of June, 2015

JUDGMENT

C.K. Abdul Rehim, J

This writ petition is filed seeking for a direction to produce corpus of the alleged detainee, Kumari Mrudula, daughter of the 5th respondent, based on an allegation that the alleged detainee is under illegal confinement at 'Mahila Mandir', Paravanadukkam in Kasaragod District. Averments in the writ petition is that, the alleged detainee was studying in Plus Two class at Government Higher Secondary School Pandy, Kasaragod. The petitioner and the alleged detainee had fallen in love. When the 5th respondent and his family members came to know about the affair, she was expelled from her parental house on 28.10.2014. But the first respondent intervened in the matter and required production of the alleged detainee before him. The first respondent forcefully took the alleged

detenue to 'Mahila Mandir' and admitted her there, despite the fact that the 5th respondent and his wife had dis-owned their daughter and despite the pleadings made by the petitioner to permit her to go along with him to his house.

2. Based on orders passed by this court, the alleged detenue was produced before this court on 17.11.2014. When this court interacted with the alleged detenue it is learnt that the 5th respondent had expelled her from the house on 28.10.2014. The alleged detenue expressed her desire to live with the petitioner and to continue her studies. The sister of the petitioner, who was present before this court on that day, submitted that herself and her husband are ready to accommodate the detenue in their house and to maintain her till she attains majority and till the marriage between the petitioner and the alleged detenue is solemnized. On that basis the alleged detenue Miss.Mrudula J.P. was entrusted with custody of Smt.P.G.Ajitha, sister of the petitioner, by virtue of order passed by this court.

3. Subsequently when the matter was posted on 16.06.2015, it was submitted before this court that a marriage as per religious rites was solemnized between the petitioner and the alleged detainee on 15.06.2015, after she had attained majority. It was further submitted that the marriage will be registered under the Kerala Registration of Marriages (Common) Rules, 2008. On that basis the matter is adjourned to today for production of the Marriage Registration Certificate.

4. Today, when the case is called up, the alleged detainee Miss. Mrudula J.P. as well as the petitioner are present before this court. They have produced a Certificate of Marriage issued under the above said Rules by the Registrar of Marriages (Secretary, Grama Panchayat) Kuttikol, dated 16.06.2015. The certificate would reveal that a marriage between the petitioner and Miss.Mrudula was solemnized at Sree Vishnumoorthi Temple, Kuttikol on 15.06.2015. The factum of marriage is taken on record by this court.

5. Under the above mentioned circumstances, this writ petition is disposed of by permitting the petitioner as well as his wife Mrudula J.P. (alleged detenue) to live together as husband and wife.

Sd/-
C.K. Abdul Rehim, Judge

Sd/-
K. Ramakrishnan, Judge

// True Copy//

P.A. To Judge

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