

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.K.MOHANAN
&
THE HONOURABLE MR.JUSTICE C.K.ABDUL REHIM

FRIDAY, THE 27TH DAY OF FEBRUARY 2015/8TH PHALGUNA, 1936

WP(Crl.).No. 22 of 2015 (C)

PETITIONER:

AMALRAJ, AGED 24,
S/O.RAJENDRAN PILLAI, AKHIL NIVAS, PUTHUR VILLAGE,
KOTTARAKKARA THALUK, KOLLAM DISTRICT.

BY ADVS.SRI.R.SURAJ KUMAR
SMT.V.BEENA
SRI.SUNIL J.CHAKKALACKAL
SMT.V.DEEPA

RESPONDENTS:

1. THE STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT OF KERALA,
DEPARTMENT OF HOME AFFAIRS, GOVERNMENT SECRETARIATE,
THIRUVANANTHAPURAM.
 2. THE DISTRICT POLICE CHIEF, KOLLAM - 691 001.
 3. THE SUB INSPECTOR OF POLICE,
KOTTARAKKARA, KOLLAM DISTRICT – 691 001
 4. UDAYAN,
C/O.SHEELA, VEMBANADU HOUSE, ALUM CHERY,
MYLOM ROAD, KOTTARAKKARA, KOLLAM DISTRICT- 691 001
 5. SHEELA,
W/O.PRABHAKARAN PILLAI, VEMBANADU HOUSE, ALUM CHERY,
MYLOM ROAD, KOTTARAKKARA, KOLLAM DISTRICT – 691 001
- * ADDL.R6 IMPEADED

WP(Crl.).No. 22 of 2015 (C)

**ADDL.R6. THE DISTRICT REGISTRAR,
KOLLAM**

**ADDL.R6 IS IMPEADED AS PER ORDER DATED 24.02.2015 IN IA.2817/2015
IN WP(Crl.)22/2015**

R1 TO R3 & R6 BY DIRECTOR GENERAL OF PROSECUTION SRI.T.ASAFALI

BY GOVERNMENT PLEADER SMT.KOCHUMOL KODAVTH

**R4 & R5 BY ADVS. SRI.C.M.NAZAR
SRI.MANSOOR.B.H.**

**THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD ON
27-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

WP(Crl.).No. 22 of 2015 (C)

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: TRUE COPY OF THE COMPLAINT DATED 10/1/2015
EXT.P2: TRUE COPY OF THE RELEVANT PAGE OF SSLC BOOK.
EXT.P3: MARRIAGE CERTIFICATE DATED 25.02.2015

RESPONDENTS' EXHIBITS: NIL

/TRUE COPY/

P A TO JUDGE

MJL

V.K.MOHANAN & C.K. ABDUL REHIM, JJ.

Writ Petition (Crl.) No.22 of 2015

Dated this the 27th day of February, 2015

JUDGMENT

Mohanan, J.

Claiming that the petitioner was in close acquaintance with one Parvathy who is the daughter of the respondent No.5 and alleging that the relatives of the said respondent detaining her in illegal confinement, the petitioner preferred this writ petition under Article 226 of the Constitution of India with a prayer to issue a writ in the nature of Habeas Corpus directing the respondents to produce the body of the detenu Parvathy.

2. When the above writ petition came up for admission, by order dated 13/01/2015 while issuing notice to respondents 4 and 5, they were directed to produce the said Parvathy before this court on 20/01/2015 and the police persons were directed to see that the respondent Nos. 4 and 5 have complied with the

above directions. Thereafter, this court passed orders on 20/01/2015, and on 24/02/2015 which read part of this judgment.

3. Now it is reported that in terms of order dated 24/02/2015 the marriage between the petitioner and the said Parvathy has already been registered on 25/02/2015 and the additional 6th respondent has issued a marriage certificate, copy of which is produced by the petitioner along with IA No.3017/2015. Thus, it is crystal clear that the marriage between the petitioner and the said Parvathy is already over, and as such, at present the said Parvathy is not under the illegal confinement, and therefore no further orders are warranted. However, in terms of the order dated 24/02/2015, the additional 6th respondent was directed to file a report before this court and the learned Government Pleader submitted that a report has been filed accordingly. The above submission is recorded.

As the said Parvathy is not under the illegal confinement of anybody and she has now become the

legally wedded wife of the petitioner, no further orders are necessary and accordingly this writ petition is closed.

**Sd/-V.K.MOHANAN
JUDGE**

**Sd/- C.K. ABDUL REHIM
JUDGE**

MJL