

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.T.SANKARAN
&
THE HONOURABLE MR. JUSTICE BABU MATHEW P.JOSEPH

TUESDAY, THE 17TH DAY OF MARCH 2015/26TH PHALGUNA, 1936

WP(Crl.).No. 79 of 2015 (S)

PETITIONER/PETITIONER:

HAZEENA BEEVI, AGED 53 YEARS
W/O.KAMALUDEEN, R/A.MADAPPALLIYIL HOUSE
POOZHIKKADU MURI, PANDALAM VILLAGE, PIN-689501

BY ADVS. SMT.T.S.MAYA (THIYADIL)
SRI.P.Y.AHAMMED PHYSI

RESPONDENTS/RESPONDENTS:

1. SUB INSPECTOR OF POLICE
PANDALAM POLICE STATION, PANDALAM P O, PIN-689501
2. SIBI DEVISON, age and fathers name is not known to the petitioner,
R/A.DEVISON BHAVAN, POOZHIKADU, PANDALAM P O
PIN-689501
3. SHERIN SAM, age and fathers name is not known to the petitioner,
R/A.DEVISON BHAVAN, POOZHIKADU, PANDALAM P O
PIN-689501

R1 BY ADDL.DIRECTOR GENERAL OF PROSECUTION SRI.ABDUL RASHID
R2 BY ADV. SRI.BABU PAUL

THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD ON
17-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(Crl.).No. 79 of 2015 (S)

APPENDIX

PETITIONER'S EXHIBITS

P1:-COMPLAINT FILED BY THE PETITIONER BEFOR ETHE IST RESPONDENT AND
ITS RECEIPT DTD 18/2/2015

RESPONDENTS' EXHIBITS : NIL

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**K. T. SANKARAN
&
BABU MATHEW P. JOSEPH, JJ.**

W. P. (Crl.) No.79 of 2015

Dated this the 17th day of March, 2015

JUDGMENT

K. T. Sankaran, J.

The petitioner (Hazeena Beevi) alleges that her son (Fasal Rahman) is under the illegal detention of respondents 2 and 3. Respondent No.2, Sibi Devison, is the brother of Sherin Sam, the third respondent.

2. Today, the petitioner, Fasal Rahman and Sherin Sam are present. It is submitted by the learned Government Pleader that Sherin Sam and Fasal Rahman were brought to court by the police.

3. We interacted with Fasal Rahman, his mother Hazeena Beevi and Sherin Sam. Fasal Rahman stated that he has been in love with Sherin Sam for the last about two years and they have decided to marry. Notice under the Special Marriage Act was issued on 09/03/2014. They are

now in Delhi and they are residing together. Sherin Sam stated that because of this relationship, her parents abandoned her and they are not concerned about her now.

4. Hazeena Beevi stated that since the things have now developed into such a relationship between Fasal Rahman and Sherin Sam, let them live together as per a legal relationship. She has reconciled with the situation and stated that she does not want to stand against the wishes of his son.

5. Sri.Babu Paul, the learned counsel appearing for the second respondent submitted that the averment in the Writ Petition that second respondent connived for the illegal detention of the Fasal Rahman is absolutely incorrect. The learned counsel submitted that the second respondent filed a petition before the Pandalam police stating that his sister, Sherin Sam was missing. Accordingly, the police registered Crime No.198 of 2015 under Section 57 of the Kerala Police Act. The learned counsel submitted that this fact itself would show that he was not at all involved in detaining Fasal Rahman.

6. Since Fasal Rahman and Sherin Sam have made their appearance and stated that they are living together and they want to have a marital relationship and since the mother of Fasal Rahman is not against their marrying together and living together, we do not think any further orders are required in this Writ Petition.

Writ Petition is accordingly closed.

Sd/-
K. T. SANKARAN
JUDGE

Sd/-
BABU MATHEW P. JOSEPH
JUDGE

kns/-

//TRUE COPY//

P.A. TO JUDGE