

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 24TH DAY OF MARCH 2015/3RD CHAITHRA, 1937

WP(Crl.).No. 83 of 2015 (S)

PETITIONER(S):

-
1. MUBARAK, AGED 38
S/O.AHAMMED, THEKKEVILA FATHIMA MANZIL, ANAMKULAM
PUNNALA VILLAGE, PATHANPURAM THALUK, KOLLAM DISTRICT.
 2. ASEENA, AGED 37
W/O. MUBARAK, THEKKEVILA FATHIMA MANZIL, ANAMKULAM
PUNNALA VILLAGE, PATHANAPURAM THALUK, KOLLAM DISTRICT.

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

RESPONDENT(S):

-
1. THE STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT OF KERALA
DEPARTMENT OF HOME AFFAIRS, GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM, PIN 695 001.
 2. THE DIRECTOR GENERAL OF POLICE,
POLICE HEAD QUARTERS, THIRUVANANTHAPURAM, PIN 695 001.
 3. THE DISTRICT POLICE CHIEF,
KOLLAM DISTRICT, PIN 691 001.
 4. THE DISTRICT SUPERINTENDENT OF POLICE (RURAL)
KOTTARAKKARA, KOLLAM DISTRICT, PIN 691 001.
 5. THE SUB INSPECTOR OF POLICE
PATHANAPURAM, KOLLAM DISTRICT, PIN 691 001.
 6. UMESH, AGED ABOUT 27
S/O. OMANAKKUTTAN, ALIMUKKU VEEDU, ALIMUKKU
PATHANAPURAM TALUK, KOLLAM DISTRICT, PIN 691 001.

R1 -R 5 BY ADDL.DIRECTOR GENERAL OF PROSECUTION
SRI.K.I.ABDUL RASHID

THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD ON
24-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

WP(Crl.).No. 83 of 2015 (S)

APPENDIX

PETITIONER(S)' EXHIBITS :

EXHIBIT P1: TRUE COPY OF THE BIRTH CERTIFICATE DATED 25.11.2008

EXHIBIT P2: TRUE COPY OF THE COMPLAINT DATED 18.2.2015

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A. TO JUDGE

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

W.P.(Crl.) No.83 of 2015

Dated this the 24th day of March, 2015

JUDGMENT

K.T.Sankaran, J.

The petitioners are the parents of Fathima, aged 15 years. The allegation in the Writ Petition is that she was enticed by the sixth respondent and she was under the illegal custody of the sixth respondent. The learned Government Pleader submitted that one Rathish is involved in the incident and he was made the second accused in Crime No.215 of 2015 of Pathanapuram Police Station for the offences under Section 366A of the Indian Penal Code and Section 5(i) of the Protection of Children from Sexual Offences Act. The sixth respondent is the first accused in that case. The second accused was arrested earlier and he is in judicial custody.

The learned Government Pleader also submitted that the sixth respondent was arrested on 22.3.2015 and he was produced before the learned Magistrate who remanded the sixth respondent to judicial custody.

2. Fathima is present before Court. Her parents, the petitioners in the Writ Petition, are also present. Fathima stated that she would like to go with her parents. The parents are also ready to take her home.

No further directions are required in the Writ Petition. The Writ Petition is accordingly closed.

**K.T.SANKARAN
JUDGE**

**BABU MATHEW P.JOSEPH
JUDGE**