

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE MR.JUSTICE P.N.RAVINDRAN
&
THE HONOURABLE MR. JUSTICE ANIL K.NARENDRAN**

MONDAY, THE 23RD DAY OF MARCH 2015/2ND CHAITHRA, 1937

WP(Crl.).No. 111 of 2015 (S)

PETITIONER:

**RANEESH K.V., AGED 25 YEARS
S/O.MOIDU, KEEZHUVEETTUVALAPPIL, NAITHALLUR
EASWARAMANGALAM PO, PONNANI, MALAPPURAM DISTRICT.**

BY ADV. SRI.RAJESH SIVARAMANKUTTY

RESPONDENTS:

- 1. STATE OF KERALA,
REP. BY CHIEF SECRETARY, SECRETARIAT
THIRUVANANTHAPURAM-PIN 695 001.**
- 2. SUB INSPECTOR OF POLICE,
PONNANI POLICE STATION, PONNANI,
MALAPPURAM DISTRICT, PIN-679 586.**
- 3. AKBAR ALI,
FATHER'S NAME NOT KNOWN, AGED ABOUT 40 YEARS
VATTAPARAMBIL, PUTHUPONNANI, PONNANI SOUTH PO
PONNANI, MALAPPURAM DISTRICT, PIN-679 586.**
- 4. IMBICHI,
FATHER'S NAME NOT KNOWN, AGED ABOUT 48 YEARS
VATTAPARAMBIL, PUTHUPONNANI, PONNANI SOUTH PO
PONNANI, MALAPPURAM DISTRICT, PIN-679 586.**

**R1 & R2 BY ADDL.DIRECTOR GENERAL OF PROSECUTION
BY PUBLIC PROSECUTOR SRI.SHIBU JOSEPH
R3-R4 BY ADV. SRI.JAMSHEED HAFIZ.**

**THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD ON
23-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

WP(Crl.).No. 111 of 2015 (S)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXT P1 : TRUE COPY OF THE ACKNOWLEDGEMENT FOR RECEIPT OF FEE FOR
NOTICE OF SPECIAL MARRIAGE ISSUED TO THE PETITIONER DATED
10-02-2015.**

**EXT P2 : TRUE COPY OF THE SECONDARY SCHOOL LEAVING CERTIFICATE
ISSUED TO SHAMILA.**

RESPONDENT(S)' EXHIBITS NIL

/TRUE COPY/

P.A. TO JUDGE

VPV

P.N.RAVINDRAN & ANIL K.NARENDRA, JJ.

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W.P.(CrI.)No.111 of 2015

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Dated this the 23rd day of March, 2015

JUDGMENT

P.N.Ravindran, J.

The prayer in this writ petition is to issue a writ of Habeas Corpus directing respondents 1 to 4 to produce the body of Shamila, the third respondent's daughter in this Court. The petitioner has averred that he and Shamila are in love and that they have given notice of their intended marriage under the Special Marriage Act, 1954 before the Sub Registrar, Ponnani. It is stated that after the notice was given, Shamila is in the illegal custody of her father, the third respondent and her father's elder brother, the fourth respondent.

2. Pursuant to the order passed by this Court, the parties are present. We interacted with the detainee first. In the course of the interaction she stated that she is not under the illegal custody of her father or father's brother and that she would like to go with her father. In view of the candid statement made by her in open court in the presence of the petitioner, we did not interact with the petitioner or even the detainee's father. This Court cannot, having

regard to the candid statement made by Shamila that she wants to go with her father and that she is not in his illegal custody, grant the relief prayed for.

The writ petition fails and it is accordingly dismissed.

Sd/-
P.N.RAVINDRAN
JUDGE

Sd/-
ANIL K.NARENDRAN
JUDGE

vpv