

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

MONDAY, THE 6TH DAY OF APRIL 2015/16TH CHAITHRA, 1937

WP(Crl.).No. 125 of 2015 (S)

PETITIONER(S):

KIRAN RAJ, S/O.PRASANNAN, AGED 27 YEARS
WORKING AS SENIOR PROCESS ASSOCIATE
TATA CONSULTANCY SERVICE, THINK CAMPUS
ELECTRONIC CITY, PHASE-2
BANGALORE- 560 100 RESIDING AT PUTHANPURACKAL
ARATTUVAZHIBHAGOM, ALAPPUZHA- 688 007.

BY ADVS.SRI.NIDHI BALACHANDRAN
SRI.SABU GEORGE

RESPONDENT(S):

1. STATE OF KERALA,
REPRESENTED BY ITS SECRETARY TO GOVERNMENT
DEPARTMENT OF HOME SECRETARIAT
THIRUVANANTHAPURAM- 695 001.
2. THE DISTRICT POLICE CHIEF,
KOZHIKODE RURAL, VADAKARA- 673 501.
3. THE SUB INSPECTOR OF POLICE,
VALAYAM, KOZHIKODE- 673 501.
4. JOSEPH MATHEW, KOCHUPARAMBIL HOUSE,
VILANGADU (P.O), KOZHIKODE- 673 506.

R1 -R3 BY ADDITIONAL DIRECTOR GENERAL OF PROSECUTION
SRI.TOM JOSE PADINJAREKKARA

THIS WRIT PETITION (CRIMINAL) HAVING COME UP FOR ADMISSION
ON 06-04-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

WP(Crl.).No. 125 of 2015 (S)

APPENDIX

PETITIONER'(S) EXHIBITS :

EXT P1- TRUE COPY OF THE COMPLAINT DATED 22/03/2015 SUBMITTED
BEFORE THE 2ND RESPONDENT BY THE PETITIONER.

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A. TO JUDGE

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

W.P.(Crl) No.125 of 2015

Dated this the 6th day of April, 2015

JUDGMENT

K.T.Sankaran, J.

The allegation in the Writ Petition is that the petitioner has been in love with Anu Jose, the detenue, since 2011 onwards and that she is under the illegal detention of her parents.

2. When the Writ Petition came up for admission on 25.3.2015, a Division Bench of this Court passed the following order :

“The District Police Chief, Kozhikode Rural, shall cause a discrete enquiry to be conducted through a Woman Civil Police Officer (not in uniform) with reference to Ext.P1 complaint, who shall also record the statement of the alleged detenue. The District Police Chief, Kozhikode Rural, shall thereafter submit a report in this Court within a week from today.”

3. The learned Additional Director General of Prosecution submitted that the alleged detainee gave a statement dated 1.4.2015 to a woman civil police officer of Valayam Police Station. The original of the statement is produced before us and it is taken on record. Anu Jose stated that the petitioner was only her friend and that there was no other relationship between them. She does not want to marry the petitioner, though such request was made by the petitioner to her father. It is clear that Anu Jose is not under the illegal detention of her parents. It is not necessary to issue any writ as prayed for.

The Writ Petition is accordingly dismissed.

K.T.SANKARAN
JUDGE

BABU MATHEW P.JOSEPH
JUDGE