

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE MR.JUSTICE C.K.ABDUL REHIM
&
THE HONOURABLE MR. JUSTICE K.RAMAKRISHNAN**

MONDAY, THE 8TH DAY OF JUNE 2015/18TH JYAISHTA, 1937

WP(Crl.).No. 133 of 2015 (S)

PETITIONER:

**RAMESH K.E.
AGED 48 YEARS, S/O.LATE KUNHIKKANNAN NAMBIAR
WORKING AS SALES EXECUTIVE,
AL NAJI INFOTECH COMPANY, KUWAIT.
(PERINTHATTA NORTH, ARAVANCHAL P.O., KANNUR.**

BY ADV. SMT. I.SHEELA DEVI

RESPONDENTS:

- 1. CIRCLE INSPECTOR OF POLICE,
WEST POLICE STATION, AYYANTHOLE, THRISSUR-680 001.**
- 2. STATION HOUSE OFFICER,
THRISSUR-680 001.**
- 3. VIPIN DEV,
S/O. LATE VASUDEVAN,
THARAYIL HOUSE, MUKKATHUKADAVU,
NEAR BHAVANA BUS STOP
MANNURVALAVU, KADALUNDI, PIN-673 302**

**R1 & 2 BY GOVT. PLEADER SRI. P.S.ABDUL KAREEM.
R3 BY ADVS. SRI.S.JIJI
SMT.C.G.PREETHA**

THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD ON 08-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

AMG

WP(Crl.).No. 133 of 2015 (S)

APPENDIX

PETITIONER(S)' EXHIBITS

P1-TRUE COPY OF THEDETENUE'S PASSPORT NO.K8036117.

P2-TRUE COPIES OF THE APPLICATION FORMS SUBMITTED BY THE DETENUE.

RESPONDENTS' EXHIBITS

NIL

True copy

P.A. To Judge

AMG

**C.K. ABDUL REHIM, J.
&
K. RAMAKRISHNAN, J.**

W.P (Crl.) No. 133 OF 2015

DATED THIS THE 8th DAY OF JUNE, 2015

J U D G M E N T

Abdul Rehim, J:

In view of the order passed by this court on 07-04-2015 recording the marriage solemnised between the alleged detainee and the 3rd respondent and in view of further order passed by this court on 08-05-2015 permitting the alleged detainee to reside along with 3rd respondent, it is submitted by the learned counsel for the petitioner that the petitioner is not intending to pursue this writ petition further. On behalf of petitioner permission is sought for to withdraw this writ petition.

2. Permission is granted. The writ petition is dismissed as withdrawn.

3. The 3rd respondent had filed I.A. No.7595/2015 seeking for a direction to the petitioner to handover various certificates of the alleged detenu, which are allegedly in the

custody of the petitioner. Learned counsel for the petitioner submitted that the document mentioned in the interim application is not in the possession of the petitioner. It is further mentioned that Birth Certificate, School Certificate, Transfer Certificate etc. can be collected from the educational institution where the alleged detainee had studied.

4. At any rate this court is of the opinion that the above dispute cannot be resolved in this writ petition. The relief sought for by the 3rd respondent is beyond the scope of this writ petition and it is left open to the 3rd respondent and the alleged detainee to seek appropriate remedy under common law.

Sd/-

C.K. ABDUL REHIM, JUDGE.

Sd/-

K. RAMAKRISHNAN, JUDGE.

AMG

True copy

P.A. to Judge