

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.M.SHAFIQUE

&

THE HONOURABLE SMT. JUSTICE P.V.ASHA

TUESDAY, THE 28TH DAY OF APRIL 2015/8TH VAISAKHA, 1937

WP(Crl.).No. 140 of 2015 (S)

PETITIONER:

RAMACHANDRAN AGED 68 YEARS
S/O.VELAYUDHAN, THENGUMTHODIKAYIL HOUSE, KOZHUVALUR
MKULAKKUZHA, ALAPPUZHA DIST

BY ADVS.SRI.BABU S. NAIR
SMT.SMITHA BABU
SRI.P.A.RAJESH
SRI.K.RAKESH
SRI.R.RANJITH (K/489/2011)
SMT.M.LISHA

RESPONDENTS:

1. THE DISTRICT POLICE CHIEF
ALAPPUZHA
2. THE SUB INSPECTOR OF POLICE
CHENGANNUR POLICE STATIN, ALAPPUZHA DIST
3. SUNIL KUMAR S
S/O.SUKUMARAN M K, MUNDANCAVU, CHENGANNUR
ALAPPUZHA DIST

BY GOVERNMENT PLEADER SMT.KOCHUMOL KODUVATH

THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD ON
28-04-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(Crl.).No. 140 of 2015 (S)

APPENDIX

PETITIONER'S EXHIBITS

P1:-TRUE COPY OF THE FIR AND FIS IN CRIME NO 553/2015 OF THE CHENGANNUR
POLICE STATION , DTD 19/3/2015

RESPONDENT(S) ' EXHIBITS

NIL

(SD/-) TRUE

PA TO JUDGE

**A.M.SHAFFIQUE, J &
P.V.ASHA, J**

*** * * * ***

W.P.(CrI) No.140 of 2015

Dated this the 28th day of April 2015

J U D G M E N T

Shaffique,J

Petitioner, who is the father-in-law of the detenue Smt.Rajani, has filed this writ petition seeking for a writ of habeas corpus alleging that the detenue could not be traced. It was inter alia contended that she had eloped with the 3rd respondent.

2. It appears that a man missing case has already been filed by the petitioner before the police and pursuant to the investigation, detenue appeared before the police station. She was also produced before the learned Magistrate who has recorded her statement.

3. The detenue is now produced before this Court. We interacted with the her. According to her, she is presently residing at Delhi along with the wife of the 3rd

respondent. She submits that she is not under the illegal custody of any person. She also expressed her intention to go back to Delhi and she is not interested to take custody of her children at present whereas she may seek custody at a later stage.

4. Having regard to the fact that the detinue is not under the illegal custody of any person including the 3rd respondent, we do not want to proceed with the above writ petition and accordingly this writ petition is dismissed.

However, we make it clear that police shall obtain the address of the detinue before she is permitted to leave this Court.

(A.M.SHAFIQUE, JUDGE)

(P.V.ASHA, JUDGE)

jsr

