

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

THURSDAY, THE 9TH DAY OF APRIL 2015/19TH CHAITHRA, 1937

WP(Crl.).No. 142 of 2015 (S)  
-----

PETITIONER:

MINI P.P. AGED 37 YEARS,  
D/O. KUNJAPPAN, PUTHIYAPURAYIL HOUSE  
KORANGAD, PERINGOME (PO)  
KANNUR DISTRICT 670 307.

BY ADV. SRI.C.K.MOHANAN

RESPONDENTS:

1. THE SUB INSPECTOR OF POLICE  
PERINGOME POLICE STATION,  
KANNUR DISTRICT. PIN: 670 307.
2. THE CIRCLE INSPECTOR OF POLICE,  
PAYYANNUR, KANNUR DISTRICT PIN 670 001.
3. THE SUPERINTNDENT OF POLICE,  
KANNUR. PIN 670 001.
4. DIRECTOR GENERAL OF POLICE (LAW & ORDER)  
POLICE HEAD QUARTERS, TRIVANDRUM 695 001.
5. RASHEED A.K.M. S/o. KARAYIL HUSSANAR, AGED 30 YEARS  
AREEKKARAN MATTEMMAL HOUSE, HAJIMUKKU, THATTEMMAL (po)  
PADYATTUCHAL, KANNUR DISTRICT PIN 670 307.
6. MAHILAMANDIRAM,  
KOZHIKODE PIN 673 001  
REPRESENTED BY THE SUPERINTENDENT.

R1-R4 BY GOVERNMENT PLEADER SRI JOBY JOSEPH

THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD ON  
09-04-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

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

=====

**W.P. (Crl.)No. 142 of 2015**

=====

**Dated this the 9<sup>th</sup> day of April, 2015**

**JUDGMENT**

**K.T. Sankaran, J.**

The petitioner is the mother of Neethu.P., who is a minor. Neethu was born on 27.11.1997. Neethu was found missing from 21.3.2015. The petitioner says that on enquiry it was revealed that the 5<sup>th</sup> respondent (Rasheed) and his henchmen had abducted the girl in a car from Peringome and she was taken to an Islamic Conversion Centre at Ponnani. The matter was reported to the police on 21.3.2015 itself. Accordingly, Crime No. 277 of 2015 of Peringome Police station was registered under

Section 57 of the Kerala Police Act.

2. The learned Government Pleader submitted that on 1.4.2015 Neethu surrendered before the Court of the Judicial Magistrate of First Class, Payyannur. The learned Magistrate recorded her statement and directed the Station House Officer to produce the girl before the Child Welfare Committee. The Child Welfare Committee directed Neethu to be accommodated at Mahilamandiram, Thalassery. From 1.4.2015 onwards, Neethu has been staying at Mahilamandiram, Thalassery. The learned Government Pleader also submitted that in Crime No. 277 of 2015, offences were altered to Section 366-A read with Section 34 of the Indian Penal Code. He submitted that four accused persons were involved in the case, two of whom were arrested. The 5<sup>th</sup> respondent is not arrested so far.

3. Neethu is produced before court today. We interacted with her. She stated that she went along with the 5<sup>th</sup> respondent as directed by him. She was taken to a Conversion Centre at Ponnani. But she was not admitted there. The 5<sup>th</sup> respondent was told by the people at the Conversion Centre to bring all the necessary certificates in respect of Neethu. Thereafter, she was

taken to Thiruvananthapuram and she stayed for about 10 days at the residence of a relative of the 5<sup>th</sup> respondent. To a query by us, Neethu stated that she surrendered before the Court of the Judicial First Class Magistrate, Payyannur as directed by the 5<sup>th</sup> respondent and his brother. She was accompanied by the 5<sup>th</sup> respondent from Thiruvananthapuram to Payyannur. As directed by the 5<sup>th</sup> respondent, she surrendered before the learned Magistrate.

4. Neethu stated she knew that Rasheed is a married man. The petitioner is also present before court. She is prepared to take Neethu along with her. But Neethu is not prepared to go with the petitioner and she would like to stay at Mahilamandiram. Neethu stated that if possible she would like to attend to her job.

5. In the facts and circumstances, in spite of the fact that Neethu is not prepared to go with her mother, we are of the view that she should be directed to go with her mother, Neethu being a minor. Accordingly, there will be a direction that the petitioner shall take Neethu along with her and allow her to stay with the petitioner. Two women police constables who accompanied Neethu to court will take her to her residence. A staff nurse from

Mahilamandiram had accompanied Neethu to court. She stated before us that she will also afford all necessary help to take Neethu to her house.

The writ petition is disposed of as above.

Issue copy of this judgment to the learned counsel appearing for the parties as well as the learned Government Pleader today itself.

**Sd/-  
K.T. SANKARAN  
JUDGE**

**Sd/-  
BABU MATHEW P. JOSEPH  
JUDGE**

**ks.**

True copy

P.S. (Hr.Gr.)To Judge

