

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE MR.JUSTICE P.N.RAVINDRAN
&
THE HONOURABLE MR. JUSTICE P.D.RAJAN**

FRIDAY, THE 17TH DAY OF APRIL 2015/27TH CHAITHRA, 1937

WP(Crl.).No. 145 of 2015 (S)

PETITIONER:

**ANOOP.S, AGED 34 YEARS,
S/O.SUDERSANAN, PRANAVAM,
PONAKAM, MAVELIKARA - PO,
PIN- 690 106.**

BY ADV. SRI.P.R.HARIKUMAR

RESPONDENTS:

- 1. SUPERINTENDENT OF POLICE,
KANNUR DISTRICT, PIN- 670 001.**
- 2. SUB INSPECTOR OF POLICE, CHAKKARAKAL,
KAPPAD, KANNUR - 670 001.**
- 3. BALAKRISHNAN, KOLETHU,
THAZHECHOWA, KAPPAD P.O.,
KANNUR, (#1332, MANJUNATHA NAGAR,
RT NAGAR, BANGLORE - 560 032).**
- 4. MANI K., KOLETHU,
THAZHECHOWA, KAPPAD P.O.,
KANNUR, (#1332, MANJUNATHA NAGAR,
RT NAGAR, BANGLORE - 560 032).**

**R1-R2 BY ADDL.DIRECTOR GENERAL OF PROSECUTION.
R1 & R2 BY SR. GOVERNMENT PLEADER SRI.SHIBU JOSEPH.**

**THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD ON
17-04-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

WP(Crl.).No. 145 of 2015 (S)

APPENDIX

PETITIONER'S EXHIBITS:

**EXT.P1: TRUE COPY OF MARRIAGE CERTIFICATE ISSUED BY MARIAMAN
KOVIL TEMPLE, KAYAMKULAM.**

RESPONDENTS' EXHIBITS: NIL

/TRUE COPY/

P.A. TO JUDGE

VPV

P.N.RAVINDRAN & P.D.RAJAN, JJ.
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W.P.(Crl.)No.145 of 2015
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Dated this the 17th day of April, 2015

JUDGMENT

P.N.Ravindran, J.

The petitioner, who claims to be the husband of Bindu, the daughter of respondents 3 and 4, has filed this writ petition for a writ of Habeas Corpus commanding the respondents to produce the body of the detenue in this Court and to set her at liberty forthwith. It is stated that though the marriage between him and Bindu was solemnized on 15.2.2015 as per Hindu rites after Bindu visited her parents (respondents 3 and 4) she is in their illegal custody and is even unable to contact the petitioner.

2. Pursuant to the order passed by this Court, respondents 3 and 4 produced the alleged detenue in this Court. We interacted with the detenue. She stated in categorical terms that she is not in the illegal custody of her parents and that she does not wish to go with the petitioner. She however conceded that the marriage between her and the petitioner was solemnized at Kayamkulathamman Kovil Devaswom Temple on 15.2.2015.

In such circumstances, as the alleged detenue has in

categorical terms stated that she is not in the illegal custody of her parents and that she does not wish to go with the petitioner, we are of the opinion that the relief prayed for in the writ petition cannot be granted. The remedy of the petitioner lies elsewhere. The writ petition fails and it is accordingly dismissed.

Sd/-

**P.N.RAVINDRAN
JUDGE**

Sd/-

**P.D.RAJAN
JUDGE**

vpv