

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

TUESDAY, THE 21ST DAY OF APRIL 2015/1ST VAISAKHA, 1937

WP(CrL.).No. 155 of 2015 (S)

PETITIONER(S):

V.K.UNNIKRISHNAN
AGED 47 YEARS
S/O.KUNJUKRISHNA PILLAI,
VAZHAPPANALIL (NJANOR MADOM) KIZHAKKE VELIYATHUNADU KARA
KARUMALLOOR VILLAGE, PARAVUR TALUK,
ERNAKULAM DISTRICT.

BY ADV. SRI.SHIJU VARGHEESE

RESPONDENT(S):

1. VIJAYA KUMAR,
AGE AND FATHER'S NAME NOT KNOWN TO THE PETITIONER
RESIDING NEAR VALLIKKAVU ASHRAMAM,
CLAPPANA P.O., KARUNAGAPALLY POLICE STATION LIMIT
KOLLAM DISTRICT, PIN 690 525.
2. VIDYA VASUDEV,
AGED 39 YEARS,
C/O.VIJAYAKUMAR, NEAR VALLIKKAVU ASHRAMAM,
CLAPPANA P.O., KARUNAGAPALLY POLICE STATION LIMIT
KOLLAM DISTRICT, PIN 690 525.
3. S.H.O., KARUNAGAPALLY POLICE STATION,
CLAPPANA P.O., KOLLAM DISTRICT, PIN 690 525.
4. THE DISTRICT POLICE CHIEF, KOLLAM
KOLLAM P.O., KOLLAM DISTRICT, PIN 691 001

R3-R4 BY SRI.TOM JOSE PADINJAREKARA, ADDL.DIRECTOR GENERAL OF
PROSECUTION
BY GOVERNMENT PLEADER SRI.SHIBU JOSEPH

THIS WRIT PETITION (CRIMINAL) HAVING COME UP FOR ADMISSION ON 21-
04-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP (CRL.).No. 155 of 2015 (R)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1:- COPY OF THE JUDGMENT IN OP NO.2152/2010 DT 15.6.2011 OF THE
HON'BLE FAMILY COURT, ERNAKULAM.

EXT.P2:- COPY OF THE ADVERTISEMENT IN MATHRUBHUMI DAILY OF COCHIN
EDITION DTD 5.11.2011.

RESPONDENT(S)' EXHIBITS

NIL

/TRUE COPY/

VPS

PS TO JUDGE

P.N.RAVINDRAN & P.D.RAJAN, JJ.

W.P.(Crl.) No.155 of 2015

Dated this the 21st day of April, 2015

J U D G M E N T

P.N.Ravindran, J.

The petitioner, who is the divorced husband of the second respondent, has filed this writ petition for a writ of habeas corpus commanding the respondents to produce the body of his minor daughter Miss.Vanee Krishna, in this Court and to set her at liberty forthwith. He has averred that for the past several months his daughter is in the illegal custody of the first respondent.

2. When the writ petition came up for admission hearing today, the second respondent and her minor daughter Miss.Vanee Krishna appeared through counsel. They were also present in court. We interacted with the second respondent and her minor daughter Miss.Vanee Krishna. The petitioner's minor daughter Miss.Vanee Krishna stated in categorical terms that she is not in the illegal custody of the first respondent and that she and her mother are residing at Amritanandamayi Math at Pazhayakadavu in Kollam district. They also stated that Miss.Vanee Krishna is undergoing her studies at Amrita Vidyalaya at Puthiyakavu. Though the learned

counsel appearing for the petitioner submitted that the petitioner will reach the court shortly and he may be permitted to interact with his daughter, the petitioner's daughter stated that she does not wish to see the petitioner or interact with him. In such circumstances, as the second respondent and the petitioner's daughter have stated in categorical terms that they are residing at Amritanandamayi Math at Pazhayakadavu in Kollam district and they are not in the illegal custody of the first respondent, we find no grounds to entertain the writ petition.

The writ petition fails and it is accordingly dismissed.

**P.N.RAVINDRAN,
(JUDGE)**

**P.D.RAJAN,
(JUDGE)**

vps

