

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE
&
THE HONOURABLE SMT. JUSTICE P.V.ASHA

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

WP(Crl.).No. 164 of 2015 (S)

PETITIONER:

GEEVARGHESE AGED 27 YEARS
S/O.A.VRAJAN, AIKARAKUDIYIL HOUSE, SOUTH MARADY POST
MARADY PANCHAYATH, MUVATTUPUZHA, ERNAKULAM DISTRICT
PIN 686673

BY ADV. SRI.P.V.SANTHOSH JOSE

RESPONDENTS:

1. STATE OF KERALA
REP. BY THE HOME SECRETARY, HOME DEPARTMENT
SECRETARIAT, THIRUVANANTHAPURAM, PIN 695001
2. THE SUB INSPECTOR OF POLICE
MUVATTUPUZHA POLICE STATION
ERNAKULAM DISTRICT 686661
3. THE CIRCLE INSPECTOR OF POLICE
MUVATTUPUZHA POLICE STATION
ERNAKULAM DISTRICT 686661
4. THE DEPUTY SUPERINTENDENT OF POLICE
MUVATTUPUZHA, ERNAKULAM DISTRICT 686661
5. M.P.JAMES, AGED 54 YEARS
S/O.NOT KNOWN, ANIKKATU HOUSE, EAST MARADY POST
MARADY PANCHAYATH, MUVATTUPUZHA, ERNAKULAM DISTRICT
PIN 686673
6. ALICE JAMES, AGED 50 YEARS
W/O.MP.JAMES, ANIKKATU HOUSE, EAST MARADY POST
MARADY PANCHAYATH, MUVATTUPUZHA, ERNAKULAM DISTRICT
PIN 686673
7. PHILIP JAMES, AGED 27 YEARS
S/O.MP.JAMES, ANIKKATU HOUSE, EAST MARADY POST
MARADY PANCHAYATH, MUVATTUPUZHA, ERNAKULAM DISTRICT
PIN 686673

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. 164 of 2015 (S)

APPENDIX

PETITIONER(S) ' EXHIBITS

P1:THE TRUE PHOTO COPY OF THE MARRIAGE AGREEMENT DATED 10.03.2015
BETWEEN THE PETITIONER AND THE DETENUE

P2:TRUE COPY OF THE COMPLAINT DATED 07.04.2015 SUBMITTED BY THE
PETITIONER BEFORE THE 2ND RESPONDENT

P3:TRUE COPY OF THE RECEIPT ISSUED BY THE 2ND RESPONDENT FOR EXT P2

RESPONDENT(S) ' EXHIBITS

NIL

(SD/-)

TRUE COPY

PA TO JUDGE

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

W.P.(CrI).No.164 of 2015

Dated this the 28th day of April 2015

J U D G M E N T

Shaffique,J

Petitioner has filed this writ petition seeking a writ of habeas corpus inter alia alleging that Smt.Anju James has been in the illegal detention of respondents 5 to 7.

2. In fact, this Court had originally directed the police to obtain a statement from the detinue. The statement so filed indicated that she was not under the illegal detention of anyone. However, the petitioner was not satisfied and hence the detinue was produced before this Court today.

2. We interacted with the detinue. She submitted that she is neither under the illegal custody of any person nor has been detained by any person. She submits that she is living with her uncle and is giving the statement on her own will.

Having regard to the aforesaid submission of the detenue, we do not think that a case of illegal detention has been made out by the petitioner. Accordingly, this writ petition is dismissed.

(sd/-)

(A.M.SHAFIQUE, JUDGE)

(sd/-)

(P.V.ASHA, JUDGE)

jsr