

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE MR.JUSTICE A.M.SHAFIQUE
&
THE HONOURABLE MR.JUSTICE K.ABRAHAM MATHEW**

TUESDAY, THE 5TH DAY OF MAY 2015/15TH VAISAKHA, 1937

WP(Crl.).No.176 of 2015 (S)

PETITIONER:

**DEEPU.P,AGED 32 YEARS,S/O.PRABHAKARAN,
DEEPU NIVAS,MADANPOIKA,KALLUVATHUKKAL P.O,
KOLLAM DISTRICT,PIN-691578.**

BY ADV.SRI.A.SHAFAEEK (KAYAMKULAM)

RESPONDENT'S:

- 1. THE DISTRICT SUPERINTENDENT OF POLICE,
KOLLAM.**
- 2. THE DEPUTY SUPERINTENDENT OF POLICE,
CHATHANNOOR.**
- 3. THE CIRCLE INSPECTOR OF POLICE,PARAVUR.**
- 4. THE STATION HOUSE OFFICER,
PARIPPALLY POLICE STATION,PARIPPALLY.**
- 5. P.THAMPI,KATTILVEEDU,VARKALA,VANNICODE PLO.
THIRUVANANTHAPURAM-695 318.**
- 6. MIJUMOL M.S.KUTTY,W/O.P.THAMPI,
KATTILVEEDU VARKALA,VENICODE P.O,
THIRUVANANTHAPURAM-695 318.**

R1-R4 BY GOVT.PLEADER SMT.LOUSY.A

**THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD
ON 05-05-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

pk

WP(Crl.).No.176 of 2015 (S)

APPENDIX

PETITIONER'S EXHIBITS:

**EXT.P1:TRUE COPY OF THE MARRIAGE CERTIFICATE ISSUED FROM THE
KALLUVATHUKKAL GRAMA PANCHAYAT.**

**EXT.P2:TRUE COPY OF THE PHOTOGRAPH SHOWING THE MARRIAGE OF THE
PETITIONER AND DROWPADI.**

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

pk

A.M. SHAFFIQUE & K. ABRAHAM MATHEW, JJ.

W.P.(Crl.) No.176 of 2015

Dated this the 5th day of May, 2015

J U D G M E N T

A.M. Shaffique, J.

Petitioner has approached this court seeking a writ of habeas corpus alleging that his wife Drowpadi T. daughter of respondents 5 & 6 is in the illegal custody of her parents. We have issued notice for production of the detenue. She is produced before this court. Respondents 5 & 6 are also represented by Sri. M.R. Sarin.

2. It is submitted by the learned counsel for the petitioner that he has legally married the detenue and it was on account of the instructions of respondents 5 & 6 that the detenue had left and now she is in the illegal custody of respondents 5 & 6.

3. We interacted with the detenue. She submitted that she was having an affair with the petitioner. But while

living with him she was mentally and physically tortured. She called her parents and on her request her parents had come and she has gone with them. She is now residing with her parents on her own will and the allegation of illegal custody is absolutely wrong.

4. Having regard to the aforesaid facts and circumstances, we do not think that the petitioner is entitled for any relief as sought for. Accordingly, this writ petition is dismissed.

Sd/-

**A.M. SHAFFIQUE
JUDGE**

Sd/-

**K. ABRAHAM MATHEW
JUDGE**

shg/