

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE MR.JUSTICE C.K.ABDUL REHIM
&
THE HONOURABLE MR.JUSTICE K.RAMAKRISHNAN**

THURSDAY, THE 4TH DAY OF JUNE 2015/14TH JYAISHTA, 1937

WP(Crl.).No. 216 of 2015 (S)

PETITIONER:

**JOSEPH MATHEW,AGED 48 YEARS
S/O.LATE MATHEW,ULLATT HOUSE,
DHARGAS P.O.,PUNCHA, MALOM,
VELLARIKUNDU,KASARAGOD DISTRICT.**

**BY ADVS.SRI.K.R.RAJKUMAR
SRI.V.P.PRASAD**

RESPONDENT'S:

- 1. SUPERINTENDENT OF POLICE,
OFFICE OF THE SUPERINTENDENT OF POLICE,
KASARAGOD-671121.**
- 2. CIRCLE INSPECTOR OF POLICE,
VELLARIKUNDU POLICE STATION,
KASARAGOD-671533.**
- 3. SUB INSPECTOR OF POLICE,
VELLARIKUNDU POLICE STATION,
KASARAGOD-671533.**
- 4. REGHURAMAN,AGED 28 YEARS,
S/O.RANGASWAMI,PUNDA P.O.,MAYASAMUDRA,
DUDDA POLICE STATION, HIRUPATHIHALLI,
HASSAN DISTRICT,KARNATAKA-573118.**

R1-R3 BY GOVT. PLEADER SRI.JOBY JOSEPH.

**THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD
ON 04-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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**C.K. ABDUL REHIM, J.
&
K. RAMAKRISHNAN, J.**

W.P (Crl.) No. 216 OF 2015

DATED THIS THE 4th DAY OF JUNE, 2015

J U D G M E N T

Abdul Rehim, J:

The petitioner, who is the father of a minor girl aged 17 years namely Miss. Bilby Joseph, is approaching this court seeking a writ of Habeas Corpus to cause her production and to set her at liberty, based on the allegation that she is illegally detained by the 4th respondent at some unknown place in the State of Karnataka.

2. The averments in this case is to the effect that petitioner's daughter had left their house on 04-05-2015 and with respect her missing a case was registered on the basis of complaint submitted by the petitioner at Vellarikundu Police Station, as Crime No.210/2015. The petitioner expressed apprehension that the 4th respondent is attempting to misuse his daughter for illegal activities and that he had abducted her to some unknown place and kept under illegal custody.

3. Pursuant to an order issued by this court on 22-05-2015, the alleged detinue is produced before this court by the 3rd respondent. Learned Government Pleader submitted that the

alleged detainee as well as the 4th respondent were traced out from Karnataka and the 4th respondent is in the custody of the 3rd respondent since the crime registered has been converted to a case punishable for the offence under Section 363, 376 of IPC and for offenses under other enactments.

4. We interacted with the alleged detainee, Miss. Bilby Joseph. She said that she is now staying along with the petitioner since 25-05-2015 onwards. It is categorically stated that she doesn't want to have any relationship with the 4th respondent. She had also expressed her desire to go along with the petitioner.

5. Under the above mentioned circumstances the writ petition is disposed of by taking on record the statement made by the alleged detainee and by permitting her to go along with the petitioner.

Sd/-

C.K. ABDUL REHIM, JUDGE.

Sd/-

K. RAMAKRISHNAN, JUDGE.

AMG

True copy

P.A. to Judge