

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

FRIDAY, THE 29TH DAY OF MAY 2015/8TH JYAISHTA, 1937

WP(Crl.).No. 219 of 2015 (S)

PETITIONER:

NEERAJ, AGED 25 YEARS,
S/O.SURESHKUMAR,
JYOTHI NIVAS, T.C.9/1184,
SASTHAMANGALAM, THIRUVANANTHAPURAM.

BY ADV. SRI.G.SUDHEER

RESPONDENTS:

1. C.I. OF POLICE,
VENJARAMOODU CIRCLE,
THIRUVANANTHAPURAM DISTRICT - 695 001.
2. SUB INSPECTOR OF POLICE,
VENJARAMOODU POLICE STATION,
VENJARAMOODU,
THIRUVANANTHAPURAM DISTRICT-695 001.
3. KRISHNAN ACHARI,
SARANYA BHAVAN, KANNANCODE,
VENJARAMOODU,
THIRUVANANTHAPURAM DISTRICT-695 001.

R1-R2 BY K.I.ABDUL RASHEED - ADDL.DIRECTOR GENERAL OF
PROSECUTION

R3 BY ADV. SRI.P.ANOOP (MULAVANA)

THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD ON
29-05-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(Crl.).No. 219 of 2015 (S)

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 TRUE COPY OF THE SOME PHOTOGRAPHS OF SARANYA KRISHNAN WITH THE
COMPANY OF PETITIONER.

EXT.P2 TRUE COPY OF THE TEXT MESSAGE AS TAKEN ON PHOTO SENT BY SARANYA
KRISHNAN TO THE PETITIONER.

EXT.P3 TRUE COPY OF THE PETITION FILED BY THE PETITIONER BEFORE
RESPONDENTS 1 AND 2 DATED 19.5.2012 WITH ACKNOWLEDGMENT.

RESPONDENTS' EXHIBITS:NIL

/TRUE COPY/

P.S TO JUDGE

c1

C.K. ABDUL REHIM & K. RAMAKRISHNAN, JJ.

.....
W.P.(Crl.)No.219 of 2015
.....

Dated this the 29th day of May, 2015.

JUDGMENT

Abdul Rehim, J:

The petitioner is seeking a writ of habeas corpus to direct production of Miss. Saranya Krishnan, daughter of the third respondent, before this Court and to order her to be released to the petitioner and to permit him to marry her.

2. The allegation is that the petitioner and the alleged detainee Miss. Saranya Krishnan are in love and that they have decided to marry each other. It is stated that they have taken decision to solemnize the marriage under the Special Marriage Act. It is alleged that, on getting information about their decision, the third respondent and his relatives have taken the alleged detainee into custody during October, 2014. It is further alleged that the alleged detainee is now kept under illegal custody by the 3rd respondent and his family members, and despite the approaches made by the petitioner before 1st and 2nd respondents no action was taken to release her.

3. Pursuant to notice ordered by this Court to the 3rd

respondent, he is personally present before this Court. It is reported that the alleged detainee Miss. Saranya Krishnan is also present before this Court. We have interacted with the alleged detainee Miss. Saranya Krishnan. She had emphatically denied the allegation that the 3rd respondent had kept her under illegal detention. According to her, she is attempting to convince her parents to have a marriage with the petitioner. She categorically expressed her desire to go back with the 3rd respondent. According to her she will take an appropriate decision with respect to the marriage, in future.

4. Considering the categorical statement made by the alleged detainee Miss. Saranya Krishnan, we are convinced that she is not in any illegal confinement of the 3rd respondent or any other relatives, as alleged in the writ petition. We notice that Miss. Saranya Krishnan had completed 24 years of age and she is at liberty to take her own decision with respect to her future life. Since we have found that there is no illegal detention of the alleged detainee in any manner, there is no circumstance warranting issuance of any writ of habeas corpus.

Under the above mentioned circumstances, the writ petition is hereby dismissed. The alleged detainee Miss. Saranya

Krishnan is allowed to go along with the 3rd respondent.

Sd/-
C.K. ABDUL REHIM, JUDGE.

Sd/-
K. RAMAKRISHNAN, JUDGE.

/true copy/

P.S to Judge

cl

