

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

THE THURSDAY, THE 28TH DAY OF MAY 2015/7TH JYAISHTA, 1937

WP(Crl.).No. 220 of 2015 (S)

PETITIONER(S):

**RAIHAN, AGED 32 YEARS,
S/O.MR. N. SOMAN, SAJU BHAVAN, ANAKOTTOOR P.O.,
KOTTARAKARA, KOLLAM DISTRICT.**

**BY ADVS.SRI.MATHAI EAPPEN VETTATH
SRI.VETTATH EAPEN MATHAI**

RESPONDENT(S):

- 1. STATE OF KERALA
REPRESENTED BY SECRETARY - HOME,
GOVERNMENT OF KERALA, THIRUVANANTHAPURAM - 695 001.**
- 2. THE SUPERINTENDENT OF POLICE,
S.P OFFICE, KOLLAM - 691 001.**
- 3. SUB INSPECTOR OF POLICE,
KOTTARAKKARA POLICE STATION, KOTTARAKKARA - 691 001.**
- 4. SHAJAHAN,
OWNER OF MINERVA THEATRE, CHANTHA MUKKU, KOTTARAKARA,
RESIDING AT P.V. HOUSE, KADAKKAL, AYYUR,
KOLLAM - 691 001.**

**R1-R3 BY DIRECTOR GENERAL OF PROSECUTION
R4 BY ADVS. SRI.K.B.DAYAL
SRI.S.MOHAMMED FEBIN
GOVERNMENT PLEADER SMT. KOCHUMOL KODUVATH.**

**THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD ON
28-05-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

:2:

WP(Crl.).No. 220 of 2015 (S)

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT-P1- TRUE COPY OF THE COMPLAINT COPY LODGED BEFORE S.I OF POLICE.**
- EXHIBIT-P2- TRUE COPY OF THE POSTAL RECEIPT.**
- EXHIBIT-P3- TRUE COPY OF THE COMPLAINT COPY LODGED BEFORE S.P OF POLICE, KOLLAM.**
- EXHIBIT-P4- TRUE COPY OF THE POSTAL SPEED POST RECEIPT.**
- EXHIBIT-P5- TRUE COPY OF THE PETITIONER BECAME A MUSLIM AND THE CERTIFICATE ISSUED FROM MOUNATHUL ISLAM ASSOCIATION, PONNANI.**
- EXHIBIT-P6- TRUE COPY OF THE PHOTO OF PETITIONER AND DR. MAHA SHAJAHAN TAKEN AT THE TIME OF FIXATION OF MARRIAGE.**
- EXHIBIT-P7- TRUE COPY OF THE WEDDING CARD.**

RESPONDENT(S)' EXHIBITS : NIL

//True Copy//

P.A. to Judge

SS

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

W.P.(Crl.) No. 220 of 2015

Dated this the 28th day of May, 2015

JUDGMENT

C.K. Abdul Rehim, J

The petitioner is seeking a writ of Habeas Corpus directing production of the alleged detenue Dr.Maha Shajahan, based on the allegation that she is under illegal detention of her father, the 4th respondent herein.

2. Pursuant to order passed by this court on 25.05.2015, the 4th respondent had produced the alleged detenue Dr.Maha Shajahan. We interacted with the alleged detenue. She had emphatically denied that she is under illegal detention of the 4th respondent. It is categorically stated that her marriage is arranged on 01.06.2015, at the instance of her parents, with Dr. Firoskhan.A, hailing from Kollam. It is clearly expressed that she do not want to marry the petitioner and she had never forced him to convert to

Muslim religion, as alleged in the writ petition. She also expressed her desire to go along with the 4th respondent.

3. Under the above mentioned circumstances, we are convinced that the alleged detainee Dr.Maha Shajahan is not under illegal detention of the 4th respondent, as alleged. Therefore the writ petition deserves no merit and the same is accordingly dismissed. The alleged detainee is permitted to go along with the 4th respondent and to solemnize the marriage with Dr.Firoskhan.A, which is stated to have been scheduled on 01.06.2015.

If the 4th respondent seeks any protection for conducting the marriage of the alleged detainee which is scheduled on 01.06.2015, the 3rd respondent shall take necessary steps to afford adequate protection.

Sd/-

C.K. Abdul Rehim, Judge

Sd/-

K. Ramakrishnan, Judge

// True Copy//

P.A. to Judge