

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

TUESDAY, THE 30TH DAY OF JUNE 2015/9TH ASHADHA, 1937

WP(Crl.).No. 222 of 2015 (S)

PETITIONER:

**K.R. AJAYAKUMAR,
AGED 48 YEARS, S/O.K.RAJAYYAN, UTHRADAM, PLAVOOR
AMCHAL PO, KATTAKADA, KULATHUMMAL VILLAGE, TRIVANDRUM.**

**BY ADVS.SRI.C.R.REKHESH SHARMA
SRI.A.HAROON RASHEED**

RESPONDENTS:

- 1. THE SUPERINTENDANT OF POLICE, THIRUVANANTHAPURAM,
OFFICE OF THE SUPERINTENDENT OF POLICE,
THIRUVANANTHAPURAM.**
- 2. SUB INSPECTOR OF POLICE,
VELLARADA, THIRUVANANTHAPURAM.**
- 3. MR. NABAS,
S/O.HANEEFA, NJARAVILA ROADARIKATH VEEDU,
CHARUPARA, KATTAKADA, TRIVANDRUM, PIN-695 572.**
- 4. THE STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT
DEPARTMENT OF HOME, GOVERNMENT OF KERALA
THIRUVANANTHAPURAM-695 001.**

**R1, R2 & R 4 BY GOVT. PLEADER SMT. KOCHUMOL KODUVATH
R3 BY ADV. SRI.M.SREEKUMAR**

**THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD ON 30-06-
2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

AMG

APPENDIX

PETITIONER'S EXHIBITS

**P1 : TRUE COPY OF THE PETITION DATED 22-5-2015 FILED BY THE PETITIONER
BEFORE R2.**

**P2 : TRUE COPY OF THE COLOUR PHOTOGRAPH OF THE PETITIONER'S
DAUGHTER**

RESPONDENTS' EXHIBITS

NIL

True copy

P.A. To Judge

AMG

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

W.P (Crl.) No. 222 OF 2015

DATED THIS THE 30th DAY OF JUNE, 2015

J U D G M E N T

Abdul Rehim, J:

Father of a girl named Miss.Aneena G. Ajayan is approaching this court seeking a writ of Habeas Corpus directing for production of her corpus and to set her at liberty, based on an allegation that she was abducted by the 3rd respondent on 21-05-2015 and kept under illegal detention.

2. Pursuant to orders issued by this court, the alleged detainee as well as the 3rd respondent appeared before this court on 02-06-2015. When we interacted with the alleged detainee she said that she is residing with the 3rd respondent from 21-05-2015 onwards and notice of intimation of marriage to be solemnised marriage under the Special Marriage Act has already been given to the Marriage Officer (Sub Registrar), Kattakada on 28-05-2015.

She submitted that she is determined to marry the 3rd respondent and to lead a life with him as husband and wife. The alleged detainee was not willing to go along with the petitioner to her parental house. But, since there existed no legally valid marriage, we directed the alleged detainee to be put in a Hostel at Ernakulam. The petitioner and other family members were permitted to visit her at the Hostel and to provide counselling to help her to take a prudent and wise decision with respect to her future life. Accordingly the case was posted to 23-06-2015. On that day the alleged detainee expressed her adamant stand for solemnization of the marriage with the 3rd respondent, for which the notice had already been given. Under such circumstances we permitted the alleged detainee to solemnize the marriage under the Special Marriage Act by appearing before the Marriage Officer on 27-06-2015.

3. Today, when the case is taken up, counsel for the 3rd respondent had produced copy of the Certificate of Marriage issued under the Special Marriage Act, by the

Marriage Officer, Kattakada dated 27-06-2015. It would indicate that the marriage between the 3rd respondent and the alleged detainee, Miss.Aneena G. Ajayan, was solemnized on 27-06-2015. Both the alleged detainee as well as the 3rd respondent are personally present before this court on today. They said that they are intending to lead a marital life in the parental house of the 3rd respondent.

4. Under the above mentioned circumstances the writ petition is hereby disposed of by setting the alleged detainee, Miss.Aneena G. Ajayan, at liberty to live along with the 3rd respondent as husband and wife.

Sd/-

C.K. ABDUL REHIM, JUDGE.

Sd/-

K. RAMAKRISHNAN, JUDGE.

AMG

True copy

P.A. to Judge