

Jithin P.S. vs State of Kerala

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Court : Kerala

Decided On : Feb-01-2022

Judge : Honourable Mr.Justice K.Vinod Chandran,Honourable Mr.Justice C. Jayachandran

Appeal No. : WP(Crl.)/68/2022

Appellant : Jithin P.S.

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN & THE HONOURABLE MR.JUSTICE C. JAYACHANDRAN TUESDAY, THE 1ST DAY OF FEBRUARY 2022 / 12TH MAGHA, 1943 WP(CRL.) NO. 68 OF 2022 PETITIONER/S: JITHIN P.S. AGED 23 YEARS S/O.SUBRAN P.P., PAKKATH HOUSE, KOTTAPPADI P.O., THRISSUR - 680 505. BY ADV V.A.VINOD RESPONDENT/S: 1 STATE OF KERALA REPRESENTED BY ITS SECRETARY, HOME DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM - 695 001.

2 DISTRICT POLICE CHIEF AYYANTHOLE, THRISSUR - 680 003. 3 STATION HOUSE OFFICER GURUVAYOOR POLICE STATION, THRISSUR - 680 101. 4 SIMON VADUKOOT HOUSE, KOTTAPPADI, THRISSUR - 680 505. BY ADV ADVOCATE GENERAL OFFICE KERALA OTHER PRESENT: SRI.E.C.BINEESH, GOVERNMENT PLEADER THIS WRIT PETITION (CRIMINAL) HAVING COME UP FOR ADMISSION ON 01.02.2022, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: K.VINOD CHANDRAN & C.JAYACHANDRAN, JJ. ----- WP(Crl.) No.68 of 2022 ----- Dated this the 1st day of February, 2022

J U D G M E N T

Jayachandran, J.

The petitioner, who claims to have an intense relationship with the alleged detainee, seeks issuance of a writ of habeas corpus directing production of the alleged detainee before this Court, on the premise that she is under illegal detention of her father, the fourth respondent herein. According to the petitioner, the fourth respondent is harassing the alleged detainee, physically and mentally, and she somehow managed to contact the petitioner to inform that she is forced to marry someone else.

2. As per Order dated 20.1.2022, we directed

the third respondent/S.H.O. to obtain a statement of the alleged detainee by a woman police officer, without the presence of parents or any other family member. Such statement is taken and is produced before us, along with a report, wherein the alleged detainee would state, unequivocally, that she is not under any illegal detention and that she is residing with her parents out of her free will. The petitioner is causing nuisance to the alleged detainee, wherefore, they have shifted their residence from Kottappady to Mammiyoor. Inasmuch as the alleged detainee has expressed clearly that she is not interested to go along with the petitioner and that she is not under any illegal detention, this writ petition lacks merit and the

same is, therefore, dismissed. K.VINOD CHANDRAN C.JAYACHANDRAN jg
APPENDIX OF WP(CRL.) 68/2022 PETITIONER EXHIBITS Exhibit P1 TRUE
COPY OF THE COMPLAINT FILED BY THE PETITIONER BEFORE THE 3RD
RESPONDENT DATED 06/01/2022. Exhibit P2 TRUE COPY OF THE RECEIPT
DATED COMPLAINT.

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