

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SOPHY THOMAS

THURSDAY, THE 10TH DAY OF AUGUST 2023 / 19TH SRAVANA, 1945

WP (CRL.) NO. 788 OF 2023

PETITIONER/S:

MIDHUN KRISHNANAGED 46 YEARS S/O KRISHNAN K.V,
KUNDUKANDATHIL HOUSE, THAIKKATTUSSERRY P.O,
VALLACHIRA VILLAGE, THRISSUR TALUK, THRISSUR., PIN
- 680322

BY ADV VINAY VIJAY SHANKER

RESPONDENT/S:

- 1 THE STATE OF KERALA REPRESENTED BY ITS SECRETARY
TO GOVERNMENT, HOME DEPARTMENT, GOVERNMENT
SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695001
- 2 THE STATE POLICE CHIEF KERALA, OFFICE OF THE STATE
POLICE CHIEF, THIRUVANANTHAPURAM ., PIN - 695001
- 3 THE DISTRICT POLICE CHIEF THRISSUR, THRISSUR
DISTRICT., PIN - 680003
- 4 STATION HOUSE OFFICER THRISSUR WEST POLICE
STATION, THRISSUR DISTRICT ., PIN - 680003
- 5 VEENA VISALAGED 41 YEARS, D/O VISALAKSHAN.N,
KOVICKKAL HOUSE, MELETHUMELE, MANIKANTESWARAN P.O
& VILLAGE, THIRUVANATHAPURAM TALUK,
THIRUVANATHAPURAM DISTRICT, PIN -695103 CURRENTLY
RESIDING AT CAPITAL ZODIAC 5A, KOTTAPURAM, NEAR
VAIDHYUTI BHAVAN, THRISSUR., PIN - 680004

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6 AMPOTTY MIDHUN AGED 17 YEARS S/O MIDHUN KRISHNAN,
REPRESENTED BY HIS MOTHER VEENA VISHAL (5TH
RESPONDENT) RESIDING AT CAPITAL ZODIAC 5A,
KOTTAPURAM, NEAR VAIDHYUTI BHAVAN, THRISSUR,, PIN
- 680004

BY ADVS.A.PARVATHI MENON

P.SANJAY (K/000381/1992)

BIJU MEENATTOOR (K/620/1992)

PAUL VARGHESE (PALLATH) (K/000171/2017)

P.A.MOHAMMED ASLAM (K/000843/2017)

KIRAN NARAYANAN (K/000131/2018)

RAHUL RAJ P. (K/547/2020)

AMRUTHA M. NAIR (K/001096/2022)

MUHAMMED BILAL.V.A (K/1033/2023)

THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY
HEARD ON 10.08.2023, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:

WP(CRL.)NO. 788 OF 2023

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J U D G M E N T

A.Muhamed Mustaque, J.

The petitioner approached this Court in habeas corpus alleging that his son is in illegal custody of the party respondents and the petitioner is not being allowed to interact with his son. Pursuant to our direction, the party respondents were present. The minor child is now aged 18 years. We allowed the petitioner to interact with his son. The child was not willing to go with his father and spend a day with him in spite of the repeated requests made by us. Taking note of the fact that the child is grown up and is in a position to form his own opinion, we are of the view that nothing further survives in this matter. Therefore, the writ petition (criminal) fails and, is accordingly, dismissed.

Sd/-

A.MUHAMED MUSTAQUE

JUDGE

Sd/-

SOPHY THOMAS

JUDGE

ms

APPENDIX OF WP(CRL.) 788/2023

PETITIONER EXHIBITS

- Exhibit P1 THE TRUE COPY OF THE FRONT PAGE OF THE
PASSPORT OF THE MINOR SON (6TH
RESPONDENT)
- Exhibit P2 THE TRUE COPY OF OP(HMA) 518 / 2022
PETITION FILED BEFORE THE HON'BLE FAMILY
COURT, THRISSUR ON 28/02/022
- Exhibit P3 THE TRUE COPY OF THE ORDER DATED
31/08/2022 IN OP(HMA) 518 / 2022 PASSED
BY THE HON'BLE FAMILY COURT, THRISSUR