

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR. JUSTICE T.R.RAVI

MONDAY, THE 14TH DAY OF DECEMBER 2020 / 23RD AGRAHAYANA, 1942

WP(Crl.).No.281 OF 2020

PETITIONER:

RENJITH P.R., AGED 24 YEARS, S/O.RAJAN P.,  
KOTTEMKERIL, CHERAYIL, MELPADOM P.O.,  
MANNAR, ALLAPUZHA-689627.

BY ADVS.  
SRI.C.U.SANGEETH  
SMT.SMRUTHI SASIDHARAN  
SMT.AMRITA JAYARAM

RESPONDENTS:

- 1 THE DISTRICT POLICE CHIEF, PATHANAMTHITTA RURAL,  
PATHANAMTHITTA DISTRICT, PIN-689108.
- 2 THE SUB INSPECTOR OF POLICE, THIRUVALLA POLICE  
STATION, PATHANAMTHITTA, PIN-689108.
- 3 THE SUB INSPECTOR OF POLICE,  
PUNNAPRA POLICE STATION, PUNNAPRA, PIN-688004.
- 4 THE DIRECTOR, DEPARTMENT OF SOCIAL JUSTICE,  
5TH FLOOR, VIKAS BHAVAN, PALAYAM, THIRUVANANTHAPURAM,  
KERALA-695033.
- 5 SHOBHANA, AGED 56 YEARS  
W/O. LATE BABU, POOTHYOTTU, VALIYAPARAMBU, THAMARAL  
KARAKKAL P.O., THIRUVALLA, PERINGARA, PATHANAMTHITTA,  
PIN-689108.
- 6 SHOLY, AGED 24 YEARS, D/O. LATE BABU, POOTHYOTTU,  
VALIYAPARAMBU, THAMARAL KARAKKAL P.O., THIRUVALLA,  
PERINGARA, PATHANAMTHITTA, PIN-689108.

R1 BY ADV. SRI.T.K.RADHAKRISHNAN  
SENIOR GOVERNMENT PLEADER SRI.K.B.RAMANAND

THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD ON  
14.12.2020, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**K. VINOD CHANDRAN, J.**

**&**

**T.R. RAVI, J.**

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**W. P. (Cr1.) No. 281 of 2020**  
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**Dated this the 14<sup>th</sup> day of December, 2020**

**J U D G M E N T**

**Vinod Chandran, J.**

The petitioner claimed that he is in relationship with the daughter of the 5<sup>th</sup> respondent and that she is now under the illegal custody of the 5<sup>th</sup> respondent. On 11.12.2020, we had an interaction with the daughter of the 5<sup>th</sup> respondent-the alleged detainee by video conferencing. Even at that point, the alleged detainee submitted that she was taken to her uncle's house against her will. She also admitted to having a relationship with the petitioner. It was categorically stated that she wants to go along with the petitioner. In the circumstances, we directed her presence.

2. Today, the petitioner, the 5<sup>th</sup> respondent and the daughter are present before this Court. We interacted with the alleged detainee, who categorically

submitted that she wants to go along with the petitioner. We also interacted with the mother. On seeing the anxiety of the mother, we directed the mother and the alleged detainee to have further conversation. We took the case after about an hour. We again interacted with the alleged detainee, who categorically stated that she does not want to go back to her home and wants to accompany the petitioner. We apprised the situation to the mother of the alleged detainee. Since the daughter of the 5<sup>th</sup> respondent is 25 years, a major capable of taking decisions by herself, we leave her to act according to her free will.

sd/-

**K.VINOD CHANDRAN**

**JUDGE**

sd/-

**T.R.RAVI**

**JUDGE**

APPENDIX

PETITIONER'S/S EXHIBITS:

EXHIBIT P1	THE TRUE COPY OF IDENTITY CARD ISSUED BY GOVT. OF KERALA SOCIAL JUSTICE DEPARTMENT.
EXHIBIT P2	THE TRUE COPY OF THE COMPLAINT DATED 11.11.2020.
EXHIBIT P3	THE TRUE COPY OF THE RECEIPT DATED 12.11.2020.
EXHIBIT P4	THE TRUE COPY OF THE COMPLAINT PREFERRED TO SHO.
EXHIBIT P5	THE TRUE COPY OF COMPLAINT DATED 14.11.2020.
EXHIBIT P6	THE TRUE COPY OF THE AADHAR.