



2025:KER:17129

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN

&

THE HONOURABLE MRS. JUSTICE M.B. SNEHALATHA

FRIDAY, THE 28TH DAY OF FEBRUARY 2025 / 9TH PHALGUNA, 1946

WP(CRL.) NO. 220 OF 2025

PETITIONER:

SHEELA
AGED 50 YEARS
W/O.ANILKUMAR, ANIL BHAVANAM, MATTOM SOUTH,
KANNAMANGALAM, THATTARAMBALAM PO., ALAPPUZHA DISTRICT,
PIN - 690101

BY ADVS.
ALEX K. JOHN
JILCY JACOB
NINAN THOMAS
GEGO GEORGE

RESPONDENTS:

- 1 STATE OF KERALA
REP. BY THE SECRETARY TO GOVERNMENT,
HOME DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695001
- 2 SUPERINTENDENT OF POLICE
ALAPPUZHA NEAR TOWN HALL, ALAPPUZHA, PIN - 688012
- 3 STATION HOUSE OFFICER
MAVELIKKARA POLICE STATION, COURT ROAD, MAVELIKKARA,
PIN - 690101



2025:KER:17129

4 SHYAM KRISHNA
AGED 21 YEARS
S/O. RADHAKRISHNAN, THACHILEDATH THEKKETHIL,
CHERIYANADU, THONNAL PO,
ALAPPUZHA DISTRICT, PIN - 689511

OTHER PRESENT:

SRI P M SHAMEER-GP

THIS WRIT PETITION (CRIMINAL) HAVING COME UP FOR ADMISSION
ON 28.02.2025, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:



JUDGMENT

Devan Ramachandran, J.

The petitioner alleges that her daughter - [who will herein after be referred to as the "alleged detenue"] is being detained by the 4th respondent against her wishes.

2. Hearing the learned counsel for the petitioner, Sri. Alex K. John, on 24.02.2025, we permitted the petitioner to take out notice to the 4th respondent, and pursuant thereto, he and the alleged detenue are present before us today.

3. The alleged detenue unequivocally stated that she is living with the 4th respondent on her own volition and that she intends to marry him. She added that she is 18 years of age, having been born on 11.09.2006; and that she does not intend to return to her parents.

4. We, thereupon, talked to the petitioner, who said that she is not in approval of her daughter's choice to marry the 4th respondent, even though they are



close relatives.

5. In order to ensure that the parties were not acting in a fit of emotion, we allowed the petitioner and the alleged detainee to talk to each other within the court premises. However, even after such, the alleged detainee did not change her mind and reiterated that she wants to go back with the 4th respondent, to be his wife in the future.

6. It is thus luculent that this writ petition cannot be prosecuted by the petitioner any further, because all which she has sought is the issuance of a writ of Habeas Corpus, which cannot lie in view of the affirmations of the alleged detainee.

In such circumstances, we dismiss this writ petition, recording that the alleged detainee has chosen to go with the 4th respondent.

Sd/-
DEVAN RAMACHANDRAN
JUDGE
Sd/-
M.B.SNEHALATHA
JUDGE



APPENDIX OF WP(CRL.) 220/2025

PETITIONER EXHIBITS

EXHIBIT P1 **THE TRUE COPY OF THE COMPLAINT DATED
18.02.2025 SUBMITTED BEFORE THE SHO,
MAVELIKKARA**

EXHIBIT P2 **THE TRUE COPY OF THE COMPLAINT DATED
18.02.2025 SUBMITTED BEFORE THE
SUPERINTEND OF POLICE, ALAPPUZHA**