

(2012) 10 KL CK 0005

In the High Court Of Kerala

Case No : Writ Petition (Criminal) No. 476 of 2012 (S)

Badusha Basheer

APPELLANT

Vs

State of Kerala and Others

RESPONDENT

Date of Decision : 01-10-2012

Acts Referred:

Constitution of India, 1950 — Article 226

Citation : (2012) 10 KL CK 0005

Hon'ble Judges : Pius C. Kuriakose, J; Babu Mathew P. Joseph, J

Bench : Division Bench

Advocate : S. Rajeev and Sri. K.K. Dheerendra Krishnan, for the Appellant; S. Sanal Kumar, for R7 and R8 and Sri. P.A. Saneer, Government Pleader for R1 to R6, for the Respondent

Judgement

Pius C. Kuriakose, J.—This writ petition under Article 226 of the Constitution is filed by the petitioner, who claims to be deeply in love with Kumari Shahina, daughter of respondents 7 and 8. Petitioner relies on Ext. P2 series of photographs to show that he and Kumari Shahina are in love with each other. Pursuant to the order passed by this court on 26.09.2012, Kumari Shahina came to this Court along with her parents. We interacted with Kumari Shahina in detail. She told us that it is true that she loves the petitioner, Sri. Badusha Basheer, whom she knows since her school days. But, she would stoutly deny the allegation that she is detained by her parents in their house against her wishes. According to her, she has every freedom in her parents' house and she is not under anybody's detention. We interacted with the parents of Kumari Shaheena, respondents 7 and 8. We appraised them of what Kumari Shaheena told us. They assured us that no marriage will be imposed on Kumari Shaheena against her wishes. We record the above assurance. We interacted with the petitioner also. He was appraised of what Shaheena told us.

2. The only question which arises for decision in this writ petition is that the writ of habeas corpus, which is the main relief sought for in this writ petition should

be granted. The above question can be answered only in the negative in view of what Shaheena told us.

We dispose of this writ petition, therefore, without granting relief no. (i) or relief no. (ii) as the said relief also is unnecessary.