
(2012) 04 KL CK 0010

In the High Court Of Kerala

Case No : Writ Petition (Criminal) . No. 199 of 2012 (S)

Mary Joy

APPELLANT

Vs

State of Kerala and Raju Varghese

RESPONDENT

Date of Decision : 27-04-2012

Acts Referred:

Citation : (2012) 04 KL CK 0010

Hon'ble Judges : K. Surendra Mohan, J; Babu Mathew P. Joseph, J

Bench : Division Bench

Advocate : K.J. Mohammed Anzar, Sri. T.B. Gafoor, Sri. A.D. Suresh Babu and Sri. K. Abdul Nassar, for the Appellant; George Sebastian and Sri E.M. Abdul Khadar, Government Pleader, for the Respondent

Judgement

Surendra Mohan, J.—This writ petition has been filed by the petitioner alleging that her brother Mathai Varkey was missing. According to her, he was under the illegal detention of the fourth respondent. Notice was issued to respondents 3 and 4 by special messenger. On receipt of notice, the fourth respondent has appeared in Court today. Mr. Mathai Varkey has been produced by the Police. We interacted with the alleged detenu. According to Mr. Mathai Varkey he was living alone in his house at Meikad. He had some difference of opinion with two of his siblings. He had fallen sick and there was nobody to look after him at home. Therefore, the fourth respondent who is a close family friend of his had taken him and put him up in an Old age home at Kolenchery. It is from the said Old age home that the detenu has been produced in Court today. According to him, he was not under any illegal detention of the fourth respondent as alleged. The fourth respondent only used to visit him once in a while.

2. Having interacted with the alleged detenu we are satisfied that he is not under any illegal detention as alleged. The Police authorities also have reported that he was residing in the Old age home at Kolenchery. In view of the above, we do not consider it necessary to issue any further directions or orders in this matter. This writ petition is disposed of recording the above.