

(2024) 04 KL CK 0144

In the High Court Of Kerala

Case No : Writ Petition (Crl.) No. 426 Of 2024

Suresh Kumar S

APPELLANT

Vs

Superintendent Of Police

RESPONDENT

Date of Decision : 16-04-2024

Acts Referred:

Citation : (2024) 04 KL CK 0144

Hon'ble Judges : N. Nagaresh, J;P.M. Manoj, J

Bench : Division Bench

Advocate : Ajeesh K.Sasi, Vidhya Kuriakose, A.Sanil Kumar

Final Decision : Dismissed

Judgement

N. Nagaresh, J

1. The petitioners are before this Court seeking to issue a writ of Habeas Corpus and to set at liberty their daughter Akhila S., aged 18 years.
2. The petitioners state that their daughter was born on 30.03.2006 and she went missing since 31.03.2024, on the very next date of attaining majority. The petitioners allege that the daughter is in the illegal custody of the 6th respondent, who claims to be her lover.
3. The petitioners made complaint in this regard before the Police Authorities. However, no investigation has been conducted by the Police regarding the same even after the complaint. She was only traced out and let go with the 6th respondent even by the Jurisdictional Magistrate.
4. It is in such circumstances that the petitioners have filed this writ petition seeking to direct respondents 1 to 5 to produce the body of Akhila S., the daughter of the petitioners before this Court and set her at liberty.
5. I have heard the learned counsel for the petitioners and the learned counsel for the respondents.

6. We have interacted with the daughter of the petitioners, who is present in the Court today.

7. The daughter of the petitioners, the alleged detainee, would submit that she has attained the age of majority and she has married the 6th respondent under local customs. Both of them have submitted a Notice of Intended Marriage also before the Department of Registration, Kerala.

8. Considering the statements made by the alleged detainee, who has attained the age of majority, we find that there is no illegal detention of the alleged detainee by respondents 6 to 8 or one among them. In view of the above, the writ petition fails.

The writ petition is accordingly dismissed.