

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

TUESDAY, THE 30TH SEPTEMBER 2008 / 8TH ASWINA 1930

WP(Crl.).No. 317 of 2008(S)

(Habeas Corpus)

PETITIONER(S):

LISSY THOMAS, AGED 32,
VADAKKAMPARAMPIL, KADAKKARAPPALLY PO.,
CHERTHALA.

BY ADV. SRI.J.OM PRAKASH

RESPONDENT(S):

1. THE SUPERINTENDENT OF POLICE,
ALAPPUZHA.
2. THE CIRCLE INSPECTOR OF POLICE,
CHERTHALA.
3. KAVIRAJ, S/O.VIJAYAN, NIVARTHIL,
PATTANAKKAD P.O., CHERTHALA.
4. VIJAYAN, NAVARTHIL, PATTANAKKAD P.O.,
CHERTHALA.

ADV. SRI.N.NAGARESH FOR R3-4

THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD
ON 30/09/2008, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

KURIAN JOSEPH & K.T.SANKARAN, JJ.

W.P(Crl).No.317 of 2008

Dated this the 30th day of September, 2008

JUDGMENT

Kurian Joseph,J.

Petitioner is the wife of the 3rd respondent. They have also one child by name Kalidas. The writ petition is filed alleging the detention of the child illegally by the 3rd and 4th respondents. Pursuant to the notice issued by this court the parties were present before us on two occasions. The child was also produced. The petitioner was permitted to mingle with the child. It is seen that the child is not in the illegal custody. The child is with the father, the 3rd respondent. According to the 3rd respondent it is the petitioner who left the matrimonial home leaving the child with the father. In the above circumstances we do not think that any further orders are required in this writ petition. The 3rd and 4th respondents have agreed that it will be open to the petitioner to go over to their house at any time and in fact they have requested the petitioner to be with them and be with her husband and their child.

With the above observation this writ petition is dismissed.

(KURIAN JOSEPH, JUDGE)

(K.T.SANKARAN, JUDGE)

ahg.

**KURIAN JOSEPH &
K.T.SANKARAN, JJ.**

W.P(CrI).No.317 of 2008

JUDGMENT

30th September, 2008