

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.N.RAVINDRAN

&

THE HONOURABLE MR. JUSTICE P.R.RAMACHANDRA MENON

THURSDAY, THE 30TH APRIL 2009 / 10TH VAISAKHA 1931

WP(Crl.).No. 158 of 2009(S)

PETITIONER(S):

RAJESH.V.P,S/O.D.K.VISWANATHAN ACHARI,
PADANILATHU THAZHCHAYIL,VAZHAPPALLY,
CHANGANACHERRY,KOTTAYAM.

BY ADV. MR.M.S.UNNIKRISHNAN

RESPONDENT(S):

1. DEPUTY SUPERINTENDENT OF POLICE,
KOTTAYAM.
2. SUB INSPECTOR OF POLICE,CHANGANACHERRY
POLICE STATION.
3. RAJU ACHARI.V.P,VALLIYATHU SREELEKSHMI,
KALLISSERRY.PO,CHENGANNUR,ALAPPUZHA.
4. RAJENDRAN,KARUKAMPILLY HOUSE,VAZHAPPILLY
VILLAGE, CHANGANACHERRY P.O.,
CHANGANACHERRY TALUK.

R1 & R2 BY GOVERNMENT PLEADER MR. K.J.MOHAMMED ANZAR
R4 BY ADV. MR.S.SREEKUMAR FOR R4

THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD
ON 30/04/2009,THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

Kss

W.P.(CRL.)NO.158/2009

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE MARRIAGE CERTIFICATE ISSUED BY THE SECRETARY, THIRUNAKKARA SREE KRISHNA SWAMY TEMPLE, KOTTAYAM DTD. 23/01/2009.

EXT.P2: COPY OF THE CERTIFICATE OF MARRIAGE ISSUED BY THE SECRETARY, KOTTAYAM MUNICIPALITY.

EXT.P3: COPY OF THE MARRIAGE PHOTO OF THE PETITIONER AND DETENUE.

EXT.P4: COPY OF THE AGREEMENT EXECUTED BETWEEN THE DETENUE AND THE 4TH RESPONDENT.

RESPONDENT'S EXHIBITS: N I L

/TRUE COPY/

P.A.TO JUDGE

Kss

**P.N.RAVINDRAN &
P.R.RAMACHANDRA MENON, JJ.**

W.P.(CrI.)No.158 of 2009

Dated 30th April, 2009

JUDGMENT

Ravindran, J.

Kum.Neethu Lekshmi @ Revathy, daughter of the third respondent and niece of the fourth respondent was produced by her parents namely the third respondent and his wife Smt.Jayanthi. Kum.Neethu Lekshmi @ Revathy stated that she is a final year B.Tech. degree student in Computer Science in Carrmel College of Engineering, Ranni, that she married the petitioner out of compulsion, that she did not enter into the marriage voluntarily, that she is not in the illegal custody of her parents or uncle and that she does not wish to go with the petitioner. She stated in categorical terms that she does not want to reside with the petitioner or even speak to him and that she would like to pursue her studies and reside with her parents.

In the light of the submissions made by the detenue in answer to the questions put by us, we are of the opinion that Kum.Neethu Lekshmi @ Revathy is a free agent and is not in the illegal custody of her parents or her uncle, the fourth respondent. In that view of the matter, the relief prayed for in this writ petition

cannot be granted. It is accordingly dismissed. It will be open to the petitioner to work out his remedies in other appropriate proceedings if he disputes the statement made by Kum.Neethu Lekshmi @ Revathy that she did not enter into a valid marriage with the petitioner and was compelled to enter into the marriage.

**P.N.RAVINDRAN
JUDGE**

**P.R.RAMACHANDRA MENON
JUDGE**

TKS