CNR : KLHC010692952026

2026:KER:74216

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS

SATURDAY, THE 26TH DAY OF SEPTEMBER 2026 / 4TH ASWINA, 1948

WP(C) NO. 31584 OF 2026

PETITIONER:

BY ADV SRI.V.A.JOHNSON

RESPONDENTS:

1 STATE OF KERALA,
REPRESENTED BY THE HOME SECRETARY,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM,
PIN – 695 001.

2 THE ASSISTANT COMMISSIONER OF POLICE (ACP),
OFFICE OF THE ASSISTANT COMMISSIONER OF POLICE,
POLICE CLUB ROAD, VELIYANNUR, THRISSUR,
PIN – 680 021.

3 THE STATION HOUSE OFFICER,
KATTAKADA POLICE STATION, KATTAKKADA, KULATHUMMAL,
THIRUVANANTHAPURAM, PIN – 695 572.

4 THE STATION HOUSE OFFICER
CHAVAKKAD POLICE STATION, CHAVAKKAD, THRISSUR,

PIN – 680 506.

SMT. LAYA MARY JOSEPH, GP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 26.09.2026, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

BECHU KURIAN THOMAS, J

W.P.(C) No.31584 of 2026

Dated this the 26th day of September, 2026

J U D G M E N T

The petitioner alleges harassment from respondents 3 and 4.

2. According to the petitioner, she left her parental home on her own volition, as her father did not permit her to continue her education. She further alleges that, without her consent, her marriage was arranged with another person and after marriage, since her husband did not meet her needs, she left the matrimonial house and wanted to continue her studies. However, since the petitioner's father was unsympathetic towards her desire, she left her parental home in April 2026 and is presently residing at Thrissur. The petitioner alleges that her mother lodged a complaint before the third respondent and a crime has already been registered at Kattakkada Police Station and she is being repeatedly harassed by the police compelling her to appear before the police station. Petitioner apprehends

that her appearance before the police station is an attempt to force her to return to her parents against her wish and consent. Hence, she has approached this Court through this writ petition.

3. The learned Government Pleader, upon instructions, submitted that the police had only contacted the petitioner, pursuant to the complaint of a missing person, filed by her mother, and that Crime No.688 of 2026 has been registered under Section 57 of the Kerala Police Act, 2011. It was submitted that there is no sort of harassment.

4. I have heard the learned counsel for the petitioner and the learned Government Pleader.

5. A crime has already been registered as Crime No.688 of 2026 of Kattakkada Police Station, alleging that the petitioner is missing from her home. The complaint was filed at the instance of petitioner's mother. Once a complaint is received and a crime has been registered, it is the duty of the police to investigate the same. Identifying and obtaining details of the missing person is a part of the duty of the police, especially when an investigation has already commenced. Only after locating the person, can the police be able to file a final report.

In such circumstances, this Court cannot identify any reason to assume that the police is harassing the petitioner.

6. Notwithstanding the above, since the petitioner asserts that she is now residing at Thrissur and does not intend to go back to her parental home, she, being a major, is entitled to take decisions about her. Neither her parents nor the police can interfere with such freedom to decide. However, since a crime has already been registered before the third respondent, necessarily the said crime has to be brought to a logical conclusion. Hence, the petitioner must report herself before the fourth respondent to identify her existence and also to record her desire.

7. In such circumstances, this writ petition is disposed of with the following directions:-

(i) Petitioner shall appear in person before the fourth respondent on 06.10.2026 between 10.00 AM and 11.00 AM.

(ii) If the petitioner does not intend to go back to her parental house or any other place, necessarily, none of the respondents shall compel her to do anything against her wishes.

(iii) When the petitioner appears before the fourth

respondent, they shall only record her presence and if she expresses her unwillingness to return to her parental home, a report to the that effect can be made to the third respondent, who shall complete the investigation in the case and file appropriate report, in accordance with law.

With the above observations, this writ petition is disposed of.

Sd/-
BECHU KURIAN THOMAS
JUDGE

ADS

APPENDIX OF WP(C) NO. 31584 OF 2026

PETITIONER EXHIBITS

Exhibit P1	**TRUE COPY OF THE F.I.R NO.688/2026 DATED 11.09.2026 OF KATTAKKADA POLICE STATION, THIRUVANANTHAPURAM RURAL.**