

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE SHAJI P. CHALY

&

THE HONOURABLE MRS.JUSTICE M.R.ANITHA

FRIDAY, THE 8TH DAY OF MAY 2020 / 18TH VAISAKHA, 1942

W.P.(CrI). 102 of 2020

PETITIONER :

Krishna Priya PS aged 34 years , W/o Prashant residing at PullithanthuElanji PO Elanji, Currently residing at Pazhoor House, THodupuzha East PO , Kanjiramattom

BY SMT. SANDHYA RAJU

RESPONDENTS :

1. State of Kerala Represented by the Government Pleader,High Court of Kerala, Ernakulam ,Kochi 682031
2. The Superintendent of Police, Sub Jail Power house Road, Junction Aluva, Periyar Nagar , Aluva, Kerala 683101.
3. The Deputy Superintendent of Police, Puzhakaravuvu, Thottumkal Peedika, Muvattupuzha Kerala 686661
4. Circle Inspector of Police Koothattukulam, SH2, Muvattupuzha-Ettumanoor Road, Koothattukulam Kerala 686662
5. Prashant T.G, S/o Gopalan, age 36 years PullithanthuElanji PO Elanji
6. Rathnamma Gopalan, W/o Gopalan,PullithanthuElanji PO Elanji

BY SRI. R. BINDU SASTHAMANGALAM

SRI. BIMAL K NATH, SR. GOVERNMENT PLEADER

THIS W.P.(CrI.) HAVING COME UP FOR ORDERS ON 8.5.2020, THE COURT ON THE SAME DAY, PASSED THE FOLLOWING:

Dated this the 8th day of May, 2020

ORDER

Shaji P. Chaly, J.

This is a *Habeas Corpus* petition filed by the mother alleging that the children belonging to herself and the 5th respondent husband, aged 7 years and 3 years were forcibly taken from custody by the 5th respondent.

2. When the case came up on 05.05.2020, we directed the learned Government Pleader to get a report from the concerned Circle Inspector of Police.

3. Today, when the matter was taken up, the learned Government Pleader submitted that the statement of the children were taken by the Circle Inspector of Police, Koothatukulam and the children are found to be safe in the hands of the father.

4. On a query raised by this court with respect to any pending case between the petitioner and the 5th respondent, the learned counsel for the petitioner submitted that, so far there is no litigation pending before any Court, much less before the

Family Court.

5. In that view of the matter, we think that there is possibility of settlement, and therefore parties can be directed to be present before the Ernakulam Mediation Centre. We have ascertained from counsel on either side that parties are ready to be present before the Mediator. Therefore, there will be a direction to the petitioner as well as the 5th respondent to be present before the Mediation Centre, Ernakulam on 25.05.2020 along with the children, if there are no restrictions for movement due to the lock-down. Otherwise, the petitioner is at liberty to seek further orders in this Writ petition. If the parties are present on the aforesaid date, Nodal Officer shall take steps to conduct mediation on the same day itself.

Post on 25.05.2020.

SHAJI P. CHALY, JUDGE.

M.R. ANITHA, JUDGE.

SM