

**BEFORE THE KERALA STATE HUMAN RIGHTS COMMISSION,
THIRUVANANTHAPURAM**

**Present: Mr.Justice N.Dhinakar,
Hon'ble Chairperson**

Dated this the 24th February, 2009.

H.R.M.P.No.525/2008

Petitioner : L. Mohanan, AG-45,
Christu Bhavan, Nedumbram Lane,
Kudappanakkunnu, Peroorkada.P.O,
Thiruvananthapuram.

Respondent : Sub Inspector of Police,
Peroorkada Police Station.

ORDER

The Complaint of the petitioner is that his wife Nirmmala eloped with a youth after leaving his child and that she is now asking for the custody of the child and also attempted to took away the child. According to him, he filed a petition to the respondent Sub Inspector of Police (S I), Peroorkada Police Station on 29-1-2008 but he was threatened by the respondent who told him that he must give up the custody of the child or otherwise he will be manhandled and send him to jail. The averment of the petitioner is that he is prepared to give the child if there is an order by the Court and the S I is behaving in a highhanded manner.

A report was called for from the City Police Commissioner, Thiruvananthapuram, and in spite of several reminders the report is not received and therefore I take it that the allegations in the complaint are true. In the above circumstances, it is for the City Police Commissioner, Thiruvananthapuram, to direct the Sub Inspector of Police, Peroorkada Police Station not to interfere in the

matter which relates to a dispute regarding the custody of a child between the petitioner and his wife as it is within the jurisdiction of a Court which will be decided as per the Guardian and Wards Act. The Sub Inspector of Police, Peroorkada, should be strictly warned and impressed that he will not interfere in the family dispute of this nature.

The petition is accordingly closed. Send a copy of the order to the petitioner and the City Police Commissioner, Thiruvananthapuram.

Justice N.Dhinakar,
Chairperson

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