

Prema Vs State Of Kerala

Court: High Court Of Kerala

Date of Decision: Jan. 9, 2025

Hon'ble Judges: Dr. Kauser Edappagath, J

Bench: Single Bench

Advocate: P.K.Varghese, M.T.Sameer, Dhanesh V.Madhavan, Jerry Mathew, Devika K.R., Anu Ashokan, Sreeja V

Final Decision: Disposed Of

Judgement

Dr. Kauser Edappagath, J

1. The petitioner is the wife of the convict who is undergoing imprisonment for life in S.C.No.197/2012 on the files of the Court of Sessions, Palakkad

at the Central Prison and Correctional Home, Thavanoor.

2. According to the petitioner, the brother of the convict passed away on 31.12.2024. His last rites is to be conducted on 12.1.2025. The petitioner

seeks emergency leave for the convict for three days to attend the last rites. The application filed by the petitioner for emergency leave of the convict

before the 3rd respondent was rejected as per Ext.P2 order. It is challenging Ext.P2, the petitioner has approached this Court.

3. I have heard the learned counsel for the petitioner and the learned Public Prosecutor.

4. Ext.P1 is the death certificate of the brother of the convict. It would show that he died on 31.12.2024. The application for emergency leave was

dismissed on the ground that the convict was granted emergency leave and he returned to prison only on 2.1.2025. The death occurred two days prior

to his return to the prison. Considering the facts and circumstances, I am of the view that three days' emergency leave can be given to the convict to

attend the last rites of his brother. Hence, the 3rd respondent is directed to grant emergency leave to the convict as per rules for three days from

11.1.2025.

The writ petition is disposed of as above.