

## Biju Vs State Of Kerala

**Court:** High Court Of Kerala

**Date of Decision:** Jan. 16, 2025

**Hon'ble Judges:** Dr. Kauser Edappagath, J

**Bench:** Single Bench

**Advocate:** B.N.Haskar, B.K.Gopalakrishnan, Sreeja V

**Final Decision:** Disposed Of

### Judgement

Dr. Kauser Edappagath, J

1. The petitioner is the brother of the convict in S.C.No.1524/2018 on the files of the Additional Sessions Court-IV, Kollam, who is undergoing life

imprisonment at Central Prison and Correctional Home, Poojappura.

2. The mother of the convict expired on 26.12.2024. The petitioner seeks emergency leave for the convict to attend the religious rituals of his mother.

The application filed by the petitioner for that purpose was rejected by the Jail Superintendent. It is in these circumstances, the petitioner has

approached this Court.

3. I have heard the learned counsel for the petitioner and the learned Senior Public Prosecutor Smt. Sreeja V.

4. The learned Prosecutor on instructions submits that the application was rejected based on the adverse police report. However, considering the fact

that the emergency leave has been sought for the purpose of conducting religious rituals of the convict's mother who died without fulfilling her last

wish to see her son, I am of the view that three days' emergency leave can be granted to the convict. Hence, the Jail Superintendent is directed to

grant three days' emergency leave to the convict to perform the religious rituals of his late mother.

The writ petition is disposed of as above.