

## Suja Sajith Vs State Of Kerala

**Court:** High Court Of Kerala

**Date of Decision:** Jan. 22, 2025

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

**Bench:** Single Bench

**Advocate:** Rajit, Sruthi Rajit, Sreeja V

**Final Decision:** Disposed Of

### Judgement

Dr. Kauser Edappagath, J

1. The petitioner who is the wife of the convict undergoing life imprisonment at Central Prison, Thrissur seeks ordinary leave to her husband.

2. I have heard Sri.Rajit, the learned counsel for the petitioner and Smt.Sreeja V. the learned Senior Public Prosecutor.

3. The petitioner filed an application for emergency leave to her husband before the Jail Superintendent to attend her surgery which is scheduled on

27.01.2025. The said application was dismissed as per Ext.P4 order, mainly on the ground that the application was not supported by the certificate

from a civil surgeon. Challenging the said order, this writ petition has been filed.

4. Ext.P1 medical certificate would show that the petitioner's uterus removal surgery is scheduled on 27.01.2025. The application was

accompanied by the certificate issued by Dr.Sruthi S., Obstetrician and Gynecologist, Assistant Surgeon at General Hospital, Ernakulam. Though she

is an Assistant Surgeon, it is submitted that she is the person who is conducting surgery on the petitioner. Hence, I am of the view that the said

certificate is sufficient.

5. Considering the fact that the surgery is scheduled on 27.01.2025, the Jail Superintendent is directed to grant fifteen days of emergency leave to the

convict, starting from 26.01.2025 till 10.02.2025, in accordance with the Rules.

The writ petition is disposed of accordingly.