

Apsara L.V Vs State Of Kerala

Court: High Court Of Kerala

Date of Decision: Jan. 23, 2025

Hon'ble Judges: Dr. Kauser Edappagath, J

Bench: Single Bench

Advocate: Sasthamangalam Ajith Kumar, Sreejith S. Nair, Satheesh Mohanan, Mahima, Akhil Suseendran, Sreeja V

Final Decision: Disposed Of

Judgement

Dr. Kauser Edappagath, J

1. The petitioner, who is the wife of the convict's brother undergoing life imprisonment at Central Prison & Correctional Home, Poojappura, seeks

emergency leave to her husband's brother.

2. The mother of the convict died on 20.01.2025 and her body is kept in the mortuary at the Medical College Hospital, Thiruvananthapuram. The

convict filed an application for emergency leave before the Jail Superintendent to attend the funeral ceremony of his mother. The said application was

dismissed by the Jail Superintendent. Hence, the petitioner has approached this Court to give a direction to the 3rd respondent to grant emergency

leave to the convict.

3. I have heard Sri.Sasthamangalam Ajith Kumar, the learned Senior counsel for the petitioner and Smt.Sreeja V., the learned Senior Public

Prosecutor.

3. It is not in dispute that the convict's mother is no more and her body is kept in the mortuary. The convict is the only surviving son of his mother.

Hence, I am of the view that emergency leave sought for can be granted. Accordingly, the 3rd respondent is directed to grant emergency leave to the

convict for a period of five days from 24.01.2025 to 28.01.2025, in accordance with the Rules.

The writ petition is disposed of accordingly.