



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN

THURSDAY, THE 17TH DAY OF JULY 2025 / 26TH ASHADHA, 1947

WP(CRL.) NO. 936 OF 2025

PETITIONER(S) :

BY ADVS.
SRI.P.K.VARGHESE
SHRI.M.T.SAMEER
SHRI.DHANESH V.MADHAVAN
SHRI.JERRY MATHEW
SMT.DEVIKA K.R.
SMT.SAWPARNIKA RAJU
SMT.GOPIKA SANTHOSH

RESPONDENT(S) :

- 1 STATE OF KERALA
REPRESENTED BY THE SECRETARY, MINISTRY OF HOME
DEPARTMENT, THIRUVANANTHAPURAM, PIN - 695001
- 2 THE DIRECTOR GENERAL OF PRISONS AND CORRECTIONAL
SERVICES
JAIL HEADQUARTERS, POOJAPPURA,
THIRUVANANTHAPURAM, PIN - 695001
- 3 THE SUPERINTENDENT
CENTRAL PRISON & CORRECTIONAL HOME, KANNUR,



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PIN - 670004

SR PP, SMT. SEETHA S

THIS WRIT PETITION (CRIMINAL) HAVING COME UP FOR
ADMISSION ON 17.07.2025, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:



P.V.KUNHIKRISHNAN, J

W.P.(Crl.) No.936 of 2025

Dated this the 17th day of July, 2025

JUDGMENT

The above Writ Petition (Crl.) is filed seeking the following reliefs:

"I. Issue a writ in the nature of Mandamus or any other appropriate writ, order or direction to the 3rd Respondent to grant emergency leave to the petitioner (Sijith, Convict No. 34/2021, Central Prison & Correctional Home, Kannur) for a period of one week for the choroonu ceremony of their child, who is undergoing incarceration.

II. To grant any such other and further relief as this Hon'ble court may deem fit in the facts and circumstances of the case so as to meet the ends of justice.

III. To dispense with the production of English Translation of vernacular documents in the writ petition."[SIC]

2. Petitioner is the wife of Sijith, Convict



No.34/2021, who is undergoing imprisonment for life in the Central Prison & Correctional Home, Kannur. Petitioner's husband was granted emergency leave for a period of 10 days in connection with the delivery of the petitioner. It is stated that the petitioner gave birth to a baby boy on 11.02.2025 at SRKAC Hospital, Thiruvananthapuram. Now, the traditional Choroону (first rice feeding ceremony) is scheduled on 23.07.2025 and 26.07.2025 at their residence. According to the petitioner, the presence of her husband is necessary for the same. Hence, this Writ Petition (Crl.) is filed.

3. I am of the considered opinion that a life convict is entitled to parole only in extraordinary situations, and that also as per the law in force. Admittedly, the convict was given parole in connection with the delivery of the petitioner. Thereafter, for all ceremonies after the delivery, this Court cannot grant parole to the convict especially because the convict is an accused in a murder case, and one court found that he is



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guilty. Therefore, I am of the considered opinion that the petitioner is not entitled to parole for traditional Choroonu (first rice feeding ceremony) of his child.

Accordingly, this Writ Petition (Crl.) is dismissed.

Sd/-

P.V.KUNHIKRISHNAN, JUDGE

DM



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APPENDIX OF WP (CRL.) 936/2025

PETITIONER EXHIBITS

EXHIBIT P1	A TRUE COPY OF THE JUDGMENT DATED 05/02/2025 IN WP (CRL.) 1370/2024 OF THIS HON'BLE COURT.
EXHIBIT P2	TRUE COPY OF THE BIRTH CERTIFICATE ISSUED BY THIRUVANANTHAPURAM MUNICIPAL CORPORATION, GOVERNMENT OF KERALA DATED 28/02/2025.
EXHIBIT P3	TRUE COPY OF THE REPRESENTATION FILED BY PETITIONER'S HUSBAND BEFORE SUPERINTENDENT DATED 09/07/2025.