

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 28TH DAY OF SEPTEMBER 2015/6TH ASWINA, 1937

WP(C).No. 2818 of 2015 (B)

PETITIONER(S):

1. SUBRAHMANYAN,
C NO 1517, CENTRAL PRISON, VIYYUR.
2. SELVAN,
C.NO 215, CENTRAL PRISON VIYYUR.
3. MURUKESAN,
C NO 214, CENTRAL PRISON, VIYYUR.
4. MANIKANDAN,
C NO 1483, CENTRAL PRISON, VIYYUR.

BY ADV. SRI.LAVARAJ M.G.

RESPONDENT(S):

1. STATE OF KERALA,
REPRESENTED BY CHIEF SECRETARY,
SECRETARIAT, THIRUVANANTHAPURAM-695 001.
2. THE DIRECTOR GENERAL OF PRISONS &
CORRECTIONAL SERVICES, PRISON HEADQUARTERS,
POOJAPPURAM, THIRUVANANTHAPURAM - 695 012.
3. SUPERINTENDENT,
CENTRAL PRISON, VIYYUR, THRISSUR - 680010.

BY GOVERNMENT PLEADER SRI.ABDUL SALAM

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 28-09-2015 ALONG WITH WPC. 4856/2015, THE COURT ON
THE SAME DAY DELIVERED THE FOLLOWING:**

mbr/

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APPENDIX

PETITIONERS' EXHIBITS: **NIL**

RESPONDENTS'S EXHIBITS & ANNEXURES:

**ANNEXURE R3(A) : TRUE COPY OF THE RELEVANT PROVISION DEALING WITH
PAROLE OF THE KERALA PRISON RULE.**

//TRUE COPY//

P.S. TO JUDGE

mbr/

A.MUHAMED MUSTAQUE, J.

W.P(C) Nos. 2818 & 4856 of 2015

Dated this the 28th day of September, 2015

J U D G M E N T

Petitioners are the convicts and they are undergoing imprisonment in the Central Prison, Viyyur. Petitioners in WP(C) No.2818 of 2015 are convicted for the offences under Sections 302 and 392 of I.P.C. Petitioners in WP(C) No.4856 of 2015 are also convicted for the offences under Sections 302,392 and 201 of I.P.C. Petitioners submit that they are entitled for parole. The petitioners approached this Court with a direction to the respondents to grant parole to the petitioners.

2. In this matter, counter affidavit and statements have been filed. It is stated that petitioners are not entitled for parole. Along with the counter affidavit, the Kerala Prison Rules have also been produced.

3. This Court is of the view that the petitioners have to file a

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proper application before the third respondent. If such application is filed, the same shall be considered in accordance with law, within a period of one month from the date of receipt of such application. The third respondent shall forward such application without any delay on receipt of the same.

These writ petitions are disposed of as above.

SD/-

A.MUHAMED MUSTAQUE,
Judge

MBS/

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