IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE DR. JUSTICE KAUSER EDAPPAGATH

FRIDAY, THE 11TH DAY OF APRIL 2025 / 21ST CHAITHRA, 1947

WP(CRL.) NO. 401 OF 2025

CRIME NO.240/2012 OF AREACODE POLICE STATION, MALAPPURAM

AGAINST SC NO.99 OF 2013 OF ADDITIONAL SESSIONS COURT

(ADHOC) III, MANJERI

PETITIONER:

KARUVANGADAN MUKTHAR @ MUTHU
AGED 38 YEARS
S/O UMMERHAJJI, CHEMBRAKATTUR, AREEKODE,
MALAPPURAM, PIN - 673639

BY ADVS.
SUNNY MATHEW
BHAVANA K.K

RESPONDENTS:

1 **THE SUPERINTENDENT**
CENTRAL PRISON, KANNUR, PIN - 670001

2 **THE DEPUTY SUPERINTENDENT OF POLICE**
NARCOTIC CELL, MALAPPURAM DISTRICT, PIN - 676509

3 **STATE OF KERALA**
REPRESENTED BY PUBLIC PROSECUTOR,HIGH COURT OF KERALA, PIN - 682031

BY ADV.
SMT.SREEJA V., SR.PP

THIS WRIT PETITION (CRIMINAL) HAVING COME UP FOR ADMISSION ON 11.04.2025, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

The petitioner is a life convict who is undergoing imprisonment at Central Prison and Correctional Center, Kannur.

2. The petitioner is undergoing the 3rd semester of three year LLB programme at the KMCT Law College, Kuttipuram. He is attending the classes online. According to the petitioner, as part of the curriculum, he has to undergo mandatory internship programme for 28 days during April-May, 2025. He submitted an application before the 1st respondent seeking emergency leave for 28 working days. It was dismissed holding that the reason shown does not fall under Rule 400 of the Kerala Prisons and Correctional Services (Management) Rules, 2014.

3. I have heard the learned counsel for the petitioner and the learned Public Prosecutor.

4. It is not in dispute that the petitioner is undergoing three year LLB programme at the KMCT Law College, Kuttipuram. Ext.P1 would show that as per the Legal

Education Rules of the Bar Council of India and the University Regulations for the LLB Course, all the students have to do an internship for 28 working days during every year of the course in law related matters. In Ext.P1, the college authorities have recommended for granting leave to the petitioner to undergo internship programme during April-May summer vacation period. Ext.P2 would show that the college authorities have issued a letter to Adv. M. P. Abdul Latheef requesting him to accommodate the petitioner for internship programme. The document produced along with the memo filed by the petitioner would show that Adv. M. P. Abdul Latheef has agreed to take the petitioner as an intern at his office for a period of 28 working days.

5. The Division Bench of this Court in ***Pattakka Suresh Babu v. State of Kerala*** *[2024 (1) KHC 55]* has held that the prisoners' right to education is a human right grounded in the right to dignity. In that case, the Division Bench has directed the Jail Superintendent to grant leave to the convict who was a law student to attend Moot Court, seminar, workshop, internship programme, University

examination or any other practical training.

6. Considering all these facts, I am of the view that the petitioner is entitled for leave to attend internship. Hence, the 1st respondent is directed to grant emergency leave to the petitioner to attend the internship programme from 20.04.2025 to 27.05.2025.

The Writ Petition is disposed of as above.

Sd/-
DR. KAUSER EDAPPAGATH
JUDGE

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APPENDIX OF WP(CRL.) 401/2025

PETITIONER'S EXHIBITS

Exhibit P1	**TRUE COPY OF THE COMMUNICATION ISSUED BY THE PRINCIPAL, KMCT LAW COLLEGE, TO THE 1ST RESPONDENT DATED 24.03.2025**
Exhibit P2	**TRUE COPY OF THE BONAFIDE CERTIFICATE ISSUED BY THE PRINCIPAL KMCT LAW COLLAGE**