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. 470 OF 2025

PETITIONER:

SANGEETHA SUDHAKARAN
AGED 34 YEARS
WIFE OF NIBIN JOSEPH, KOCHUTHOPPIL HOUSE,
PARUMALA PO, THIRUVALLA, PATHANAMTHITTA,
PIN - 689626

BY ADVS.
ANANTHAKRISHNAN A. KARTHA
ANIL D.KARTHA
SURESH G.
SHARATH ELDO PHILIP
SREEKUMAR G.
ANANTHASANKAR A. KARTHA

RESPONDENT:

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

BY ADV.
SRI. M.P. PRASANTH, PUBLIC PROSECUTOR

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 stated to be the wife of Nibin Joseph who is a convict undergoing imprisonment at Central Prison and Correctional Home, Thiruvananthapuram. It is submitted that the petitioner and the convict though not legally wedded are in a live in relationship and a child was born in their relationship. The marriage of the brother of the petitioner is scheduled on 14.04.2025. The petitioner seeks interim bail to the convict for a period of two months to attend the marriage.

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

3. It is submitted that the petition filed by the petitioner's husband to suspend the execution of sentence has already been dismissed. The learned Public Prosecutor strongly opposed the petition on the ground that the convict is not entitled for any kind of leave. It is true that the reason shown by the petitioner would not fall within the purview of

Rule 400 of the Kerala Prisons and Correctional Services (Management) Rules, 2014. However, considering the entire facts and circumstances of the case, I am of the view that the convict can be granted an escort parole for a day to attend the marriage.

Hence, the Jail Superintendent, Central Prison and Correctional Home, Thiruvananthapuram is directed to grant an escort parole to the convict on 14.04.2025 to attend the marriage of the brother of the petitioner. The petitioner shall produce a copy of this judgment before the Jail Superintendent, Central Prison and Correctional Home, Thiruvananthapuram for compliance.

The Writ Petition is disposed of as above.

Sd/-
DR. KAUSER EDAPPAGATH
JUDGE

BR

APPENDIX OF WP(CRL.) 470/2025

PETITIONER'S EXHIBITS

Exhibit P1	**A TRUE COPY OF THE MARRIAGE INVITATION INTIMATING THE MARRIAGE OF THE BROTHER OF THE PETITIONER**