



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE DR. JUSTICE KAUSER EDAPPAGATH

THURSDAY, THE 27TH DAY OF FEBRUARY 2025 / 8TH PHALGUNA, 1946

WP (CRL.) NO. 188 OF 2025

PETITIONER:

HASEENA K. A
AGED 44 YEARS
W/O. UMMER, THAZHATHAYIL KUNNATH,
KUNIIYIL, KIZHUPARAMBA P.O., KIZHUPARAMBA,
MALAPPURAM DISTRICT, PIN - 673639

BY ADVS.
P.MOHAMED SABAH
LIBIN STANLEY
SAIPOOJA
SADIK ISMAYIL
R.GAYATHRI
M.MAHIN HAMZA
ALWIN JOSEPH
BENSON AMBROSE

RESPONDENTS:

1 STATE OF KERALA
REPRESENTED BY THE SECRETARY,
HOME DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM,
THIRUVANANTHAPURAM DISTRICT,
PIN - 695001



- 2 DIRECTOR GENERAL OF PRISONS AND
CORRECTIONAL SERVICES
PRISONS HEADQUARTERS, POOJAPPURA,
THIRUVANANTHAPURAM, PIN - 695012

- 3 THE SUPERINTENDENT
CENTRAL PRISON AND CORRECTIONAL HOME,
KANNUR, PALLIKUNNU P.O.,
KANNUR DISTRICT, PIN - 670004

- 4 THE STATION HOUSE OFFICER
AREEKODE POLICE STATION, AREEKODE,
MALAPPURAM DISTRICT, PIN - 673639

OTHER PRESENT:

M.P. PRASANTH, PP

THIS WRIT PETITION (CRIMINAL) HAVING COME UP FOR
ADMISSION ON 27.02.2025, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:



J U D G M E N T

The petitioner is the wife of the convict in S.C.No.99 of 2013 on the files of the Additional Sessions Court-III, Manjeri, who is undergoing imprisonment at Central Prison and Correctional Home, Kannur. The petitioner filed an application for emergency leave for her husband. It was rejected as per Ext.P2 order based on an adverse police report. The petitioner has approached this Court challenging the said order.

2. I have heard Sri.P.Mohamed Sabah, the learned counsel for the petitioner and Sri.M.P. Prasanth, the learned Public Prosecutor.

3. When the writ petition came up for hearing last time, I have directed the learned Prosecutor to get a copy of the police report. The learned Prosecutor submitted that the police report based on which Ext.P2 order was passed is of the year 2023.

Hence, this writ petition is disposed of with a direction to the 3rd respondent to re-consider the application for emergency



leave, after getting a fresh police report, within a period of one month from the date of receipt of a copy of this judgment.

Sd/-

DR.KAUSER EDAPPAGATH, JUDGE

AS



APPENDIX OF WP(CRL.) 188/2025

PETITIONER EXHIBITS

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| EXHIBIT P1 | TRUE COPY OF THE JUDGMENT DATED
07.02.2025 IN W.P. (CRL.) NO. 115/2025
PASSED BY THIS HONOURABLE COURT |
| EXHIBIT P2 | TRUE COPY OF THE ORDER NO. R5-
1879/2023/CPK DATED 12.02.2025 PASSED BY
THE RESPONDENT NO. 3 |
| EXHIBIT P3 | TRUE COPY OF THE ORDER DATED 05.01.2023
IN CRL.M.C. NO. 9111/2022 OF THIS
HONOURABLE COURT |
| EXHIBIT P4 | TRUE COPY OF THE JUDGMENT DATED
24.01.2024 IN W.P. (CRL.) NO. 58/2024
PASSED BY THIS HONOURABLE COURT |
| EXHIBIT P5 | TRUE COPY OF THE JUDGMENT DATED
29.11.2024 IN W.P. (CRL.) NO. 1062/2024
PASSED BY THIS HONOURABLE COURT |