

News

Convicts are entitled to guarantee their children receive a quality education: Kerala High Court



To assist a convict's son in obtaining higher secondary school admission, the Court permitted a one-week emergency leave for the life-sentenced convict.

In a recent ruling ([**Shafeena PH v. State of Kerala & Ors.**]), the Kerala High Court allowed a convict serving a life sentence in Malapuram's Central Prison to take one week of emergency leave to assist his son with higher secondary education admission.

Justice **PV Kunhikrishnan** stated that although convicts forfeit certain rights typically granted to citizens, they retain the parental right to secure a good education for their children.

"Among the convict's fundamental rights is that of a father to ensure his child receives a good

education. By providing mentorship, guidance, and emotional support, a father's presence is crucial for a child's journey through higher education. It is true that a convict in jail will lose some of their rights. "However, for the sake of a successful educational year, the convict's child should be able to spend a few days with his father," the Court stated in its ruling.

The ruling came in response to a request from the life convict's wife for his emergency parole.

The Court was informed that their son had recently finished his Secondary School Leaving Certificate (SSLC) examination, achieving six A+ and two A grades. The wife who petitioned argued that they required the life convict's help to get their child into a higher secondary course.

The convict's wife approached the High Court after the jail authorities rejected her husband's parole request, citing a lack of provisions for parole in such cases.

The Court acknowledged the child's merit and the reason for the leave request, stating that it cannot ignore a bright student seeking his father's help with admission procedures.

"Let the convict's brilliant child, XXXX, who achieved six A+ grades in the SSLC examination, spend a few days with his father. XXXX should advance to the plus two course after receiving his parents' blessings while they smile. The Court stated, "May the almighty bless XXXX with a bright future."

The Court thus permitted the petition and ordered the convict's release on emergency leave for seven days.