

WP(Crl) Nos.923, 924, 952 and 955 of 2026

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MONDAY, THE 29TH DAY OF JUNE 2026

WP(CRL.) No. 923 of 2026

FIDHA NISHAD

VS

STATE OF KERALA & OTHERS

ADVS FOR PETITIONER/S:

SHRI.SUBASH CHANDRAN, SMT. AHALYA PRAKASH K.V., SHRI.HAMDAN
MANSOOR K.

ADVS FOR RESPONDENT/S:

WP(Crl) Nos.923, 924, 952 and 955 of 2026

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MONDAY, THE 29TH DAY OF JUNE 2026

WP(CRL.) No. 924 of 2026

SASIDHARAN

VS

STATE OF KERALA & OTHERS

ADVS FOR PETITIONER/S:

SMT.V.VIJITHA

ADVS FOR RESPONDENT/S:

WP(Crl) Nos.923, 924, 952 and 955 of 2026

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MONDAY, THE 29TH DAY OF JUNE 2026

WP(CRL.) No. 952 of 2026

SUO MOTU

VS

STATE OF KERALA & OTHERS

ADVS FOR PETITIONER/S:

SUO MOTU (IN PERSON)

ADVS FOR RESPONDENT/S:

PUBLIC PROSECUTOR, DIRECTOR GENERAL OF PROSECUTION

WP(Crl) Nos.923, 924, 952 and 955 of 2026

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MONDAY, THE 29TH DAY OF JUNE 2026

WP(CRL.) No. 955 of 2026

CHANDRIKA

VS

STATE OF KERALA & OTHERS

ADVS FOR PETITIONER/S:

SMT.V.VIJITHA

ADVS FOR RESPONDENT/S:

SOUMEN SEN, C.J.
and
SYAM KUMAR V.M., J.

W.P.(Crl.) Nos. 923, 924, 952 and 955 of 2026

Dated: 29th June 2026

Appearance:

For the Petitioner : Mr. Hamdan Mansoor K
in W.P.(Crl.) 923/2026
Ms. V. Vijitha
in W.P.(Crl.) 924,955/2026

For the Respondents : Ms. Vidya Kuriakose
For KeLSA in
W.P.(Crl.) No.952/2026
Mr. Asaf Ali,
Director General of Prosecution
Ms. Christy Theresa Suresh
Representing Mr Jaisankar V.Nair
CGC and Mr P.S. Sreekumar,
ASGI for the Union of India.

ORDER

Soumen Sen, C.J.

We have heard the learned Director General of Prosecution appearing for the State and the learned counsel for the petitioners.

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2. The Member Secretary, KeLSA, has filed a compliance report pursuant to the order dated 9th June 2026. The Prisons Department, on 27th June 2026, furnished a consolidated statistical data indicating the following position:

Sl. No.	Particulars	Number
1	Total Life Convicts	1,851
2	Life Convicts eligible before Jail Advisory Board	316
3	Life Convicts pending before Government	127
4	Life Convicts rejected by Jail Advisory Board	159
5	Life Convicts rejected by Government	5
6	Life Convicts considered by State Level Advisory Committee (SLAC)	370
7	Applications pending before SLAC	7
8	SLAC applications pending before Government	364
9	Term Sentence Prisoners eligible before Jail Advisory Board	279

2.1 It is stated in the said affidavit that, until receipt of the said details from the Prison Department, KeLSA was not able to identify each and every prisoner requiring case-specific legal intervention under Clause 4.3 of the NALSA SOP.

2.2 KeLSA appears to have instructed the DLSAs to undertake the following:

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- i. identify every eligible prisoner who has not yet submitted an application for premature release and provide all necessary legal assistance for preparation and submission of such applications;
- ii. identify every prisoner whose application has been rejected by the Jail Advisory Board, the State Level Advisory Committee or the Government, communicate the legal remedies available to such prisoners, and provide effective legal aid for challenging the rejection orders, if legally sustainable.
- iii. ensure that the Legal Aid Defense Counsel System, Jail Visiting Lawyers and Para-Legal Volunteers render complete assistance in collection of records, preparation of petitions, and institution of appropriate legal proceedings;
- iv. Maintain continuous interaction with prisoners so that no eligible prisoner is deprived of legal assistance on account of lack of awareness or inability to access legal services.

2.3 The status report dated 29th June, 2026 filed by the Member Secretary KeLSA is taken on record.

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3. There shall be proper co-ordination between KeLSA and the respective DLSAs on the issues mentioned above, and a bi-weekly meeting shall be held between the Secretaries of the DLSAs, the Member Secretary, KeLSA, and the Prison officials to review the position.

4. We have requested the learned Director General of Prosecution to intervene and ensure that all applications seeking remission of sentence or premature release are disposed of in a time-bound manner. The timelines prescribed in the NALSA SOP for consideration and disposal of applications seeking remission of sentence or premature release shall be strictly adhered to.

5. The authorities entrusted with considering such matters shall strictly adhere to the directions issued by the Hon'ble Supreme Court, as referred to in paragraph 5 of the order dated 9th June 2026, and shall also follow the guidelines contained in paragraphs 9 and 19 of the judgment of the Hon'ble Supreme Court, as extracted in the said order.

6. KeLSA shall file a further report disclosing the steps taken in respect of the inmates of the Correctional Homes whose

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applications for premature release have been rejected. The Prison Department shall file a better affidavit/report indicating the status of the applications pending before the Government and the SLAC, as reflected in the statistical data furnished by the Prison Department on 27th June 2026. A copy of the said report shall also be furnished to the Member Secretary, KeLSA.

7. In compliance with our order dated 9th June 2026, the Deputy Inspector General of Prisons is present today. The further presence of the Deputy Inspector General of Prisons is dispensed with for the time being.

W.P.(Crl.) No.952/2026:

8. The report filed by the Member Secretary, KeLSA, with regard to the transit homes is taken on record. A copy of the said report shall be served upon the learned counsel appearing for the Union of India. The Union of India, represented by its Secretary, Ministry of Home Affairs, Room No. 113, North Block, Central Secretariat, New Delhi – 110001, and the Foreigners Regional Registration Officer and Civil Authority, Office of the FRRO, 2nd Floor, Airlines Building, Cochin International Airport,

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Nedumbassery – 683111, are *suo motu* impleaded as additional respondents in W.P.(Crl.) No. 952 of 2026.

9. The State to consider the said report in the meantime and file its response and suggest suitable measures to avoid overcrowding and bettering the institution.

The matters stand adjourned till 27th July 2026.

Sd/-

**SOUMEN SEN,
CHIEF JUSTICE**

Sd/-

**SYAM KUMAR V.M.,
JUDGE**