



W.P.No.8140 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.03.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH
AND
THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

W.P.No.8140 of 2025
and W.M.P.No.9112 of 2025

LATHA

...Petitioner/wife of the detenue

Vs.

1. The State Rep By Its
The Deputy Inspector General Of Prison,
Gandhi Irwin Road,
Egmore, Chennai-600 008

2.The Superintendent
Puzhal Central Prison-1,
Puzhal-600 066

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, to call for the records connected with impugned order dated 12.02.2025 in proceedings No.705442/Thaku2/2025 passed by the second respondent and quash the same and directing the respondents to grant ordinary leave for 30 days, without escort to the detenue, Pushparaj S/o.Paramasivam aged about 48 years bearing convict No.7913 (PID 233717), confined at Central prison-1, puzhal.



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For Petitioner : Ms.S.Sadhana
For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor
assisted by Mr.M.Sylvester John

ORDER

M.S.RAMESH, J.
and
N.SENTHILKUMAR, J.

This Writ Petition has been filed to quash the proceedings No.705442/Thaku2/2025, dated 12.02.2025 passed by the second respondent and to direct the respondents to grant ordinary leave for 30 days, without escort to the detenue, Pushparaj S/o.Paramasivam aged about 48 years bearing convict No.7913 (PID 233717), confined at Central prison-1, puzhal on the ground that the petitioner was suffering from liver jaundice and was advised by the doctor to undergo surgery.

2. Heard the learned counsel on either side and perused the documents.



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3. Today, the learned counsel for the petitioner submitted that the petitioner had passed away on 08.03.2025 and the death ceremony rituals are going to be conducted on 17.03.2025 and 18.03.2025, for which the presence of the convict prisoner is required to perform the rituals and to make arrangements for the same.

4. The learned Additional Public Prosecutor, on instructions, submitted that the Probation Officer has recommended for grant of leave as the reason assigned by the petitioner is true. He would submit that the prisoner was granted 1 day emergency leave on 08.03.2025 and that the prisoner is eligible for 21 days of leave.

5. Taking into account that the petitioner had passed away and the death ceremony rituals are going to be conducted on 17.03.2025 and 18.03.2025, we are inclined to grant leave for a period of 10 days in exercise of our powers under Article 226 of the Constitution of India.

6. Accordingly, the detainee viz., Pushparaj S/o.Paramasivam aged about 48 years bearing convict No.7913 (PID 233717), confined at



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Central prison-1, puzhal, is hereby granted leave for a period of 10 days, without escort, commencing from 10.00 am on 14.03.2025 to 5 pm of 23.03.2025. On expiry of the leave, the detenu shall surrender before the prison authorities. During the period of leave, the prisoner shall report before the Inspector of Police, J5 Sastri Nagar Police Station, Chennai daily at 05.00 p.m, except on 17.03.2025 and 18.03.2025. The Convict Prisoner shall utilize the leave only for the ground on which it has been granted and shall not indulge in any other activities.

7. Accordingly, the Writ Petition stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

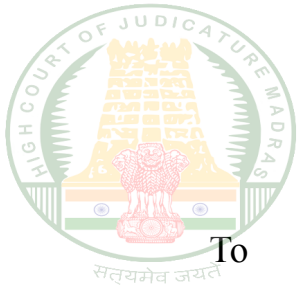
[M.S.R., J] [N.S., J]

12.03.2025

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes/No
Neutral Citation: Yes/No

Anu

Note: Issue Order Copy on 13.03.2025
Upload the order copy forthwith



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To

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1. The Deputy Inspector General Of Prison,
Gandhi Irwin Road,
Egmore, Chennai-600 008

2. The Superintendent
Puzhal Central Prison-1,
Puzhal-600 066

3. The Inspector of Police,
J5 Sastri Nagar Police Station, Chennai

4. The Public Prosecutor,
High Court, Madras.



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