



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.05.2018

CORAM:

THE HON'BLE MRS.JUSTICE T.KRISHNAVALLI

W.P (MD) No.11325 of 2018

Muniyasamy

: Petitioner

-vs-

1. The Superintendent of Central Prison,
Central Prison,
Madurai.

2. The Inspector of Police,
Kovilankulam Police Station,
Ramanathapuram District.

: Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the respondents to grant 10 days leave (Parole) to the petitioner's father namely Gopal son of Ramachandran in C.P.No.4559, who is undergoing sentence as Life Convict in Central Prison, Madurai to participate the marriage ceremony to be held on 25.05.2018 to 05.06.2018.

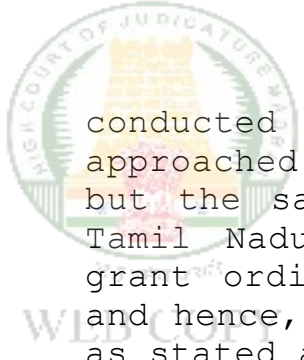
For Petitioner : Mr.S.Muniyandi

For Respondents : Mr.S.Angappan
Government Advocate

O R D E R

This writ petition has been filed seeking a direction to the respondents to grant 10 days leave (Parole) to the petitioner's father namely Gopal son of Ramachandran in C.P.No.4559, who is undergoing sentence as Life Convict at Central Prison, Madurai to participate the marriage ceremony to be held on 25.05.2018 to 05.06.2018.

2.The learned counsel appearing for the petitioner submitted that the petitioner's father is a Life Convict in connection with a case in Crime No.6 of 1994 and the conviction has been confirmed upto the Hon'ble Apex Court and now, he is confined at Central Prison, Madurai and that the petitioner marriage is scheduled to be held on 27.05.2018 and for that, his father's presence is necessary to conduct the marriage and other ceremonies to be



conducted from 25.05.2018 to 27.05.2018 and the petitioner has approached the respondents to grant parole for the period 10 days, but the same was not considered and that as per Rule 20 of the Tamil Nadu Suspension of Sentence Rules, the respondents shall grant ordinary leave to the prisoner in extraordinary situation and hence, the petitioner is before this court seeking the relief as stated above.

3.The learned Government Advocate appearing for the respondents submitted that the Life Convict has already availed leave for some time and now, the petitioners case for 10 days of parole has been rejected in view of the adverse report that if the petitioner is released on parole, it may lead to untoward incidents and there is a possibility that the petitioner may threaten those who had deposed against him and may even physically harm them. It is further submitted that there is also serious objection from the affected party.

4.This court has carefully considered the submissions made on either side and perused the materials available on record.

5.It is seen from the records that the petitioner's father is a Life Convict in connection with a case in Crime No.6 of 1994 and he has been convicted to undergo Life Imprisonment by the Additional Sessions Judge (FTC), Ramanathapuram, in S.C.No.10 of 1996 and the same was confirmed by this Court in C.A.No.328 of 2006, dated 14.12.2007 and the Hon'ble Apex Court was also confirmed the same.

6.It is the submitted on the side of the respondents that the life convict has already availed leave for some time and now, adverse report has been received to the effect that if the Life Convict is released on parole, it may lead to untoward incidents and there is also a serious objection from the affected party.

7.Keeping in view of the above fact, this Court is of the considered view that if at all the father of the petitioner is granted parole, it will cause law and order problem. Hence, the relief sought for by the petitioner cannot be granted.

8.In the result, this writ petition is **dismissed**. No costs.

Sd/-

Assistant Registrar(w)

/True Copy/

Sub Assistant Registrar



To,

1. The Superintendent of Central Prison,
Central Prison,
Madurai.

2. The Inspector of Police,
Kovilankulam Police Station,
Ramanathapuram District.

+1cc to Mr.S.Muniyandi, Advocate Sr.No.66021
+1cc to Spl.Government Pleader Sr.No.66171

ER

VB/RSK/SAR4/13.07.2018/3P/5C

W.P (MD) No.11325 of 2018
23.05.2018