



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.09.2018

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) No.19238 of 2018

Gomathi

... Petitioner

Vs.

1.The Additional Director General of Police (Prisons),
Gandhi Irwin Road,
Egmore,
Chennai.

2.The Superintendent of Central Prison,
Central Prison,
Trichy,
Trichy District.

...Respondents

Prayer: This Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to grant 30 days leave (parole) to the petitioner's husband namely Ravichandran (convict Prisoner No.17104) S/o. Balu, aged about 49 years who is undergoing sentence as life convict in Central Prison, Trichy for his daughter's marriage.

For Petitioner : Mr.C.Susikumar
For Respondents : M/s.B.Bhagawathi
Government Advocate

ORDER

This writ petition has been filed to direct the second respondent to grant emergency leave to the petitioner's husband namely Ravichandran (convict Prisoner No.17104) S/o. Balu, who is undergoing sentence as life convict in Central Prison, in view of the marriage of his daughter to be held on 14.09.2018.

2.The petitioner is the wife of convict prisoner Ravichandran (convict Prisoner No.17104) S/o. Balu. The husband of the petitioner presently is serving the sentence at Central Prison, Trichy. The petitioner has arranged her daughter's marriage that is to take place on 14.09.2018. Therefore, the petitioner's husband, as the father, wants to participate in the said wedding. The petitioner



has made a representation to the second respondent, in this regard, on 30.08.2018.

3. Rule 6 of the Tamil Nadu Suspension of Sentence Rules, 1982, provides for the situation under which emergency leave can be granted to a convict. One of the occasion, where an emergency leave can be granted to a convict, is during the wedding of the son or daughter of the convict. Therefore, the petitioner will be entitled to seek for emergency leave under Rule 6 of the Tamil Nadu Suspension of Sentence Rules, 1982.

4. Taking into consideration, the importance of the occasion namely, the wedding of the petitioner's daughter, this Court is inclined to direct the second respondent to grant emergency leave to the petitioner's husband namely Ravichandran.

5. This writ petition is disposed of with a direction to the second respondent to grant emergency leave to the petitioner's husband subject to the following conditions:

(i) the second respondent shall release the petitioner's husband on emergency leave on 06.09.2018 at 05.30 p.m., from the Central Prison, Trichy;

(ii) three police escorts will be accompanying the petitioner in civil dress throughout the period when the petitioner's husband is released on emergency leave.

(iii) the petitioner's husband shall be permitted to travel within Thanjavur District for the purpose of inviting the relatives for the wedding and he shall be accompanied by the police escorts.

(iv) the petitioner's husband shall not involve in any illegal activities or do any act apart from the necessary things to be done for the wedding of his daughter.

(v) the petitioner shall incur the expense for the police escorts, who are accompanying throughout the period when he is on emergency leave.

(vi) the petitioner's husband shall surrender before the second respondent at Central Prison, Trichy, on 16.09.2018 at 05.30 p.m., without fail.

6. The second respondent shall ensure that the above conditions are strictly complied with. No costs.

Sd/

Assistant Registrar (Crl Side)

/True copy/

Sub Assistant Registrar (CS-II)

To

1. The Additional Director General of Police (Prisons),
Gandhi Irwin Road,
Egmore, Chennai.

2. The Superintendent of Central Prison,
Central Prison,
Trichy, Trichy District.



3.The Special Government Pleader,
Madurai Bench of Madras High Court,
Madurai.

+lcc to Mr.C.Susikumar, Advocate, SR.No. 82404

W.P. (MD) No.19238 of 2018
05.09.2018

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