



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.12.2019

CORAM:

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

W.P.(MD)No.26009 of 2019

Rethinam

... Petitioner

-Vs-

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

2.The Inspector of Police,
Viralimalai Police Station,
Trichy.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, to direct the first respondent to grant ordinary Parole leave to the petitioner's son Arunkumar, S/o.Rethinam, Convict Prisoner No.14850, now he is confined in Central Prison, Trichy to attend his sister's marriage from 05.12.2019 to 15.12.2019 by considering the petitioner's representation dated 29.11.2019.

For Petitioner : Mr.T.Lenin Kumar

For Respondents : Mrs.S.Bharathi,
Government Advocate (Criminal Side)

ORDER

This Writ Petition has been filed seeking a direction, to direct the first respondent to grant ordinary Parole leave to the petitioner's son Arunkumar, S/o.Rethinam, Convict Prisoner No.14850, now he is confined in Central Prison, Trichy to attend his sister's marriage from 05.12.2019 to 15.12.2019 by considering the petitioner's representation dated 29.11.2019.

2.Today, when the matter is taken up for hearing, the learned Government Advocate (Criminal Side) would submit that the petitioner's son has been convicted for the offence under Section 397 IPC and he has to undergo seven years Rigorous Imprisonment. She would



further submit that the petitioner's son is also involved in more than three cases and P.T warrant has been issued by the respective Courts below, in which, the cases are pending.

3. She would further submit that as per Rule 21 of Tamil Nadu Suspension and Sentence Rules, the petitioner's son is not eligible for getting leave. Apart from that there are three other cases pending against him and as per Rule 35 of Tamil Nadu Suspension and Sentence Rules, the petitioner's son shall not be granted leave pending trial. Further, she would submit that taking consideration of Rules 21 and 35 of Tamil Nadu Suspension and Sentence Rules, 1982, the respondents have rejected the representation of the petitioner.

4. Recording the said submissions made by the learned Government Advocate (Criminal Side), this Writ Petition is closed. No costs.

Sd/-

Assistant Registrar (RECORD)

// True Copy //

Sub Assistant Registrar (CS)

das

To

1. The Superintendent of Prison,
Central Prison, Trichy.
2. The Inspector of Police,
Viralimalai Police Station,
Trichy.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

W.P. (MD) No. 26009 of 2019

06.12.2019

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