



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 03.08.2021

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH
AND
THE HONOURABLE Ms.JUSTICE R.N.MANJULA

W.P.No.15358 of 2021

M.Sutha

.. Petitioner

Vs.

1.State of Tamil Nadu rep. by
The Principal Secretary
Home (Prison) Department
Fort St. George, Secretariat
Chennai-9

2.The Additional Director General of Police/
The Inspector General of Prison
O/o.The Additional Director General of Police/
The Inspector General of Prison
Egmore, Chennai-8

3.The Deputy Inspector General of Prison
O/o.The Deputy Inspector General of Prison
Coimbatore Division
Coimbatore District

4.The Superintendent of Prison
Coimbatore Central Prison
Coimbatore District

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a writ of mandamus directing the respondents to release the petitioner's husband viz., Murugapandian (life convict prisoner No.22593), S/o.Komban, aged about 40 years, who is now confining at Coimbatore Central Prison, from the prison on the leave for 90 days by considering the petitioner's representation dated 04.06.2021.

For Petitioner : Mr.R.Prakash

For Respondents : Mr.R.Muniyapparaj
Government Advocate (Crl. Side)



O R D E R

[Order of the Court was made by P.N.PRAKASH, J.]

It is the case of the petitioner that her husband viz., Murugapandian is a convict prisoner (CT.No.22593) and is undergoing sentence in the Central Prison, Coimbatore and that she gave a representation dated 04.06.2021 seeking 90 days ordinary leave for Murugapandian, on the ground that his mother is ailing and she is yearning to see her son; since the respondent did not pass any orders on her representation, this writ petition has been filed.

2. When the matter was taken up for hearing, the learned Government Advocate (Crl. Side) submitted that the leave application of the petitioner was considered and rejected by the Deputy Inspector General of Prisons, Kovai range, by order dated 20.07.2021, on the ground that the enquiry conducted by the Inspector of Police reveals that the reasons given in the leave petition were not true. That apart, there appears to be a threat to the life of Murugapandian, as he is also involved in two other cases viz., Manur P.S.Crime No.42/2009 under Section 302 IPC and Sambavarvadakarai P.S.Crime No.136/1999 under Section 302 IPC.

In view of the above, we find no infirmity in the order dated 20.07.2021 passed by the Deputy Inspector General of Prisons, warranting interference. Hence, this writ petition stands dismissed. No costs.

Sd/-
Assistant Registrar(CS V)

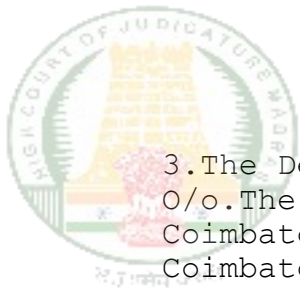
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Sub Assistant Registrar

gya

To
1.The Principal Secretary,
Home (Prison) Department,
Fort St. George, Secretariat,
Chennai-9

2.The Additional Director General of Police/
The Inspector General of Prison,
O/o.The Additional Director General of Police/
The Inspector General of Prison,
Egmore, Chennai-8.



3.The Deputy Inspector General of Prison,
O/o.The Deputy Inspector General of Prison,
Coimbatore Division,
Coimbatore District.

4.The Superintendent of Prison,
Coimbatore Central Prison,
Coimbatore District.

5.The Public Prosecutor,
High Court, Madras.

W.P.No.15358 of 2021

GJ (CO)
PR (22/09/2021)