



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

and

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P. (MD No.11067 of 2021)

Rajapandian

... Petitioner/Father of the detenu
-vs-

1. The Additional Director General of Police (Prison),
Gandhi Irwin Road,
Egmore, Chennai.
2. The Superintendent of Prison,
Palayamkottai Central Prison,
Tirunelveli.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the second respondent to grant emergent leave and release the petitioner's son namely Mahesh, who is a life convicted prisoner (No.3474) who is imprisonment in Palayamkottai Central Prison, on Parole for a period of 15 days for the purpose of making money arrangements and also to help the petitioner during his mother's medical recovery, by considering the petitioner's representation, dated 21.06.2021.

For Petitioner : Mr.P.Mani Anand

for Mr.C.Susikumar

For Respondents : Mr.S.Ravi

Standing counsel for Government

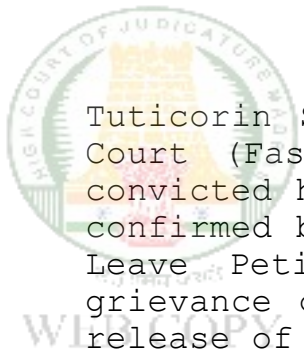
O R D E R

[Order of the Court was made by B.PUGALENDHI, J.]

Heard Mr.P.Mani Anand, learned counsel appearing for the petitioner and Mr.S.Ravi, learned Standing counsel representing the State and perused the materials available on record.

2. The petitioner has come forward with this writ petition for issuance of Writ of Mandamus directing the second respondent to grant emergency leave and release the petitioner's son viz., Mahesh (Life Convict Prisoner No.3474), who is confined in Palayamkottai Central Prison, for a period of 15 days, based on the representation, dated 21.06.2021.

3. The petitioner would state that his son Mahesh was falsely implicated in a murder case in Crime No.1 of 2012, on the file of



Tuticorin South Police Station. The learned Sessions Judge, Mahila Court (Fast Track Mahila Court), Tuticorin found him guilty and convicted him in Sessions Case No.85 of 2012 and the conviction was confirmed by this Court in C.A.No.313 of 2015. However, the Special Leave Petition is pending before the Hon'ble Apex Court. The grievance of the petitioner is that despite his representation for release of the convict, the same has not been considered.

4. Mr.S.Ravi, learned Standing counsel appearing for the respondents would state that the concerned police has given an adverse report and despite the same, the second respondent taking note of the illness of the mother of the convict has granted one day leave. The order of the second respondent has been placed on record.

5. The learned counsel appearing for the petitioner would submit that the petitioner is very poor and he cannot afford to pay any amount for the escort and in such circumstances, the escort may be provided without any cost.

6. In the light of the above fact, we are of the view that the prayer sought for by the petitioner has become infructuous. Accordingly, this Writ Petition is closed. The convict shall be taken with police escort free of cost. No costs.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1. The Additional Director General of Police (Prison),
Gandhi Irwin Road,
Egmore, Chennai.
2. The Superintendent of Prison,
Palayamkottai Central Prison,
Tirunelveli.
3. The Standing Counsel for Government,
Madurai Bench of Madras High Court,
Madurai.

W.P. (MD) No.11067 of 2021
20.07.2021

RC (30.07.2021) 2P-4C