



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.05.2022

CORAM

THE HON'BLE MR.JUSTICE G.R. SWAMINATHAN
AND
THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P. No. 11923 of 2022

A.M. Sheriff Fathima

..Petitioner

Vs.

The State represented by

1.The Deputy Inspector General of Prison,
Coimbatore Range,
Coimbatore Central Prison,
Coimbatore - 641 018.

2.The Superintendent,
Central Prison,
Coimbatore - 641 018.

..Respondents

Prayer: Petition under Article 226 of the Constitution of India praying for issue of a Writ of Mandamus directing the respondents to grant leave for 20 days for the detenu Sethu @ Santhu Mohammed, S/o. Mohammed Sheriff, aged about 45 years, life convict No.10708, detained at Central Prison, Coimbatore.

For Petitioner :: Ms.S.Lakshmi

For Respondents :: Mr.M. Babu Muthumeeran
Additional Public Prosecutor

O R D E R

(Order of the Court was made by G.R. SWAMINATHAN,J.)

The writ petition is filed for issue of a Writ of Mandamus directing the respondents to grant leave for 20 days for the detenu Sethu @ Santhu Mohammed, S/o. Mohammed Sheriff, aged about 45 years, life convict No.10708, detained at Central Prison, Coimbatore.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents.



3. The petitioner's son, namely, Sethu @ Santhu Mohammed, aged about 45 years, who is a life convict, is detained in Central Prison, Coimbatore. The petitioner's husband had passed away on 30.04.2022 and ceremonies, in regard thereto, are to be performed on 27.05.2022. The petitioner had applied for grant of ordinary leave for her son. The said request could not be granted because of pendency of appeal before the Hon'ble Supreme Court. However, the petitioner's son is entitled to grant of emergency leave.

4. The petitioner is permitted to submit a fresh application to the 2nd respondent for grant of emergency leave for two days so that the petitioner's son can be present along with the family on 26.05.2022 and 27.05.2022. On such application being submitted, the 2nd respondent is directed to grant emergency leave for the aforesaid two days to the petitioner's son. The convict should be necessarily escorted by the Police, but the cost of escort will be borne by the State.

5. The writ petition is allowed on the above terms. No costs.

Sd/-

Vacation Officer

//True Copy//

Sub Assistant Registrar

nv/arr

To

1.The Deputy Inspector General of Prison,
Coimbatore Range,
Coimbatore Central Prison,
Coimbatore - 641 018.

2.The Superintendent,
Central Prison, Coimbatore - 641 018.

3.The Additional Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Manoharan, Advocate SR. No. 31397

W.P. No. 11923 of 2022

RR (CO)

PR (20/05/2022)