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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Tuesday, the Thirteenth day of December Two Thousand and Twenty Two
PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

AND

The Hon`ble Mr.Justice SUNDER MOHAN

WMP(MD) No.22014 of 2022

in

W.P(MD)No.25706 of 2022

SARASWATHI

... PETITIONER/SISTER OF THE CONVICT

Vs

1 STATE REP BY ITS

THE ADDITIONAL CHIEF SECRETARY,
HOME DEPARTMENT, SECRETARIAT,
CHENNAI-600 001

2 THE DEPUTY INSPECTOR GENERAL OF PRISON,
MADURAI RANGE, MADURAI-625 001

3 THE SUPERINTENDENT
CENTRAL PRISON,
PALAYAMKOTTAI-627 007

... RESPONDENTS

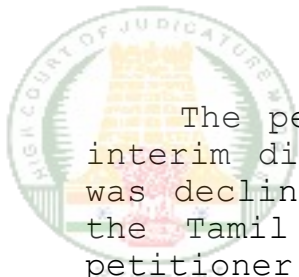
Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to grant an interim direction directing the respondents to extend the ordinary leave granted to petitioners brother the detainee namely Ashok @ Ashok Kutty S/o. Kottaisamy aged 38 years, Life Convict No. 2567, detained at Central Prison, Palayamkottai for further period of 1 week from 14.12.2022.

PRAYER IN WP(MD) No.25706 of 2022 :

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order dated 27.09.2022 passed in No. 6894/ThaKu.2/2022 by the 3rd Respondent and Quash the same and consequently directing the Respondent to grant ordinary leave for one month without escort to the convict, Ashok @ Ashok Kutty S/o. Kottaisamy aged 38 years, Life Convict No. 2567, detained at Central Prison, Palayamkottai.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S. NARAYANAN.R, Advocate for the petitioner and of MR.A.THIRUVADI KUMAR, Additional Public Prosecutor on behalf of the Respondents, the court made the following order:-

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The petitioner, who is the sister of the Life Convict, at interim direction to grant leave for a period of one month, which was declined by the State in view of the embargo under Rule 35 of the Tamil Nadu Suspension of Sentence Rules, 1982. Hence, the petitioner has approached this Court by way of filing the writ petition in W.P(MD)No.25706 of 2022 seeking intervention of this Court for granting leave to make arrangements of his family property. This Court, taking note of the exceptional circumstances, granted ordinary leave for six days from 07.12.2022 till 13.12.2022. The convict is supposed to report before the prison authority today, ie. 13.12.2022 by 5.00 p.m, as per the order dated 30.11.2022 passed by this Court.

2. Today, he has filed the present petition for extension of leave for a further period of one week on the ground that the negotiation for alienating the properties is in half way through and not completed. If he is granted leave of few more days, he will complete the negotiation.

3. Taking note that the reason for granting leave for six days, also holds good for the present request for extension of leave, this petition is allowed by extending the leave till 16.12.2022. The Life Convict shall report before the prison authority by not later than 11.00 a.m on 17.12.2022. All other conditions imposed earlier by this Court, vide its order dated 30.11.2022 shall be scrupulously followed.

sd/-

13/12/2022

/ TRUE COPY /

13/12/2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE ADDITIONAL CHIEF SECRETARY,
HOME DEPARTMENT, SECRETARIAT, CHENNAI-600 001
- 2 THE DEPUTY INSPECTOR GENERAL OF PRISON,
MADURAI RANGE, MADURAI-625 001
- 3 THE SUPERINTENDENT
CENTRAL PRISON, PALAYAMKOTTAI-627 007.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

WMP(MD) No.22014 of 2022
in

W.P(MD)No.25706 of 2022

Date :13/12/2022

pjl

USK/SSS/SAR- /13.12.2022/2P/5C

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