



W.P.No.28906 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2023

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

W.P.No.28906 of 2023

Amaravathi

... Petitioner

Vs.

1. Superintendent,
Central Prison-I, Puzhal,
Chennai.

2. State represented by
Inspector of Police,
E4 Abiramapuram Police Station,
Chennai.
Crime No.1352 of 2013

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to grant ordinary leave for one month to Yesurajan, S/o.Ariraman, Convict Prisoner No.8472.



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For Petitioner : Mr.G.Sriram
For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor
assisted by Mr.Aravind C.

ORDER

(Order of the Court was made by **S.S. SUNDAR, J.**)

This petition has been filed by the sister of Yesurajan, S/o.Ariraman, Convict Prisoner No.8472, to grant ordinary leave for one month to the prisoner.

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

3.On the earlier occasion, this Court adjourned the matter at the instance of the petitioner to get instructions as to whether the petitioner is



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ready to incur the expenses towards escort. Today, the learned counsel for the petitioner reports that the petitioner is financially weak and therefore, the petitioner is not in a position to bear the expenses towards escort, and requests this Court to grant leave to the prisoner without escort.

4.However, learned Additional Public Prosecutor, relying upon the report of the Superintendent of Police, Kanyakumari, regarding threat perception, vehemently objected to grant of ordinary leave without escort.

5.When this Court enquired about the economic status of the petitioner and his brother (prisoner), the learned counsel for the petitioner is not willing even to disclose the same, and there appears lack of co-operation from the side of the petitioner. In view of the submissions of the learned Additional Public Prosecutor and the report of the Superintendent of Police, Kanyakumari, regarding threat perception, this Court is not inclined to grant ordinary leave without escort to the petitioner.

6.Therefore, this writ petition is dismissed for the present. However,



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the petitioner may apply for leave afresh by furnishing the particulars about

the economic status of the petitioner and his brother/prisoner, so that this

Court may also consider the same later. No costs.

(S.S.S.R., J.) (S.M., J.)
03.11.2023

mkn

Internet : Yes

Index : Yes / No

Neutral Citation : Yes / No

To

- 1.The Superintendent,
Central Prison-I, Puzhal,
Chennai.
- 2.The Inspector of Police,
E4 Abiramapuram Police Station,
Chennai.
- 3.The Public Prosecutor,
High Court, Madras.



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