



WEB COPY



W.P.No.31883 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2023

CORAM

THE HONOURABLE MR. JUSTICE **S.S. SUNDAR**
AND
THE HONOURABLE MR. JUSTICE **SUNDER MOHAN**

W.P.No.31883 of 2023

Saraswathi

... Petitioner

Vs.

The State rep. By its

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

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

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents to grant ordinary leave for 30 days without escort to the detenu Sakthivel, S/o.Rajan, aged about 31 years, bearing Convict No.20461, confined at Central Prison, Coimbatore.

For Petitioner : Mr.P.Bakiyaraj

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



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ORDER

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

Seeking a direction to the respondents to grant ordinary leave for 30 days without escort to the convict prisoner, Sakthivel, S/o.Rajan, aged about 31 years, Convict No.20461, confined at Central Prison, Coimbatore, the present writ petition has been filed by the mother of the convict prisoner.

2. Petitioner is the mother of the convict prisoner. The convict prisoner was convicted by the Special Court for Bomb Blast Cases, Coimbatore for the offences under Sections 449, 302 and 506 IPC. The petitioner seeks the presence of her son/convict prisoner for the reason that her husband, who is aged about 60 years, is under treatment and medication due to sudden fall in health.

3. Quite surprisingly, the report of the local police gives an indication that petitioner's father and mother who are residing in rental premises have expressed their wish that convict prisoner need not visit them as it will cause embarrassment. It is their wish that they are going to shift their residence to their native and that thereafter convict prisoner can be released. This Court is unable to



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find any bonafide in this petition. Hence this writ petition is dismissed giving liberty to the petitioner to renew the request after two months.

(S.S.S.R., J.) (S.M., J.)
21.11.2023

Index : Yes / No
Neutral Citation : Yes / No
mmi

To

- 1.The Deputy Inspector General of Prison,
Coimbatore Range,
Coimbatore – 641 018.
- 2.The Superintendent,
Central Prison,
Coimbatore – 641 018.
- 3.The Public Prosecutor,
High Court, Madras.



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