



WEB COPY



W.P.No.32366 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2023

CORAM :

THE HON'BLE MR. JUSTICE S.S.SUNDAR
AND
THE HON'BLE MR.JUSTICE SUNDER MOHAN

W.P.No.32366 of 2023

Hema

...Petitioner

vs.

The State represented by its,

1. The Secretary to the Government of Tamil Nadu,
Department of Home,
Fort St. George,
Chennai – 600 009.

2. The Deputy Inspector General of Prison,
Puzhal Range,
Puzhal.

3. The Superintendent,
Central Prison, Puzhal.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India,
praying for issuance of a Writ of Mandamus, to direct the respondents to
grant ordinary leave for 30 days without escort to the detinue, Ramanujam,
S/o.Seenivasa Ayyangar aged about 65 years, bearing Convict No.8414



W.P.No.32366 of 2023

confined at Central Prison, Puzhal.

WEB COPY

For Petitioner :: Mr.P.Bakiyaraj

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

ORDER

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

This writ petition has been filed to direct the respondents to grant ordinary leave for 30 days without escort to the detenu, Ramanujam, S/o.Seenivasa Ayyangar aged about 65 years, bearing Convict No.8414 confined at Central Prison, Puzhal.

2. The petitioner viz.Hema, is the wife of the life convict by name Ramanujam (Convict Prisoner No.8414), S/o.Seenivasa Ayyangar, aged about 65 years.

3. The learned counsel for the petitioner submitted that the petitioner is aged 63 years and suffering from diabetes and high blood pressure, due to



W.P.No.32366 of 2023

which, she often lose consciousness and faint; that petitioner's mother viz., Ambujam, who is 84 years old is also very sick and no improvement in her treatment; and that the presence of petitioner's husband/convict prisoner, is required to arrange money for their medical treatment. The learned counsel also produced the copy of the Disability Certificate of the Convict Prisoner, who is differently-abled and prayed for grant of ordinary leave to the petitioner's husband/convict prisoner.

4. The learned Additional Public Prosecutor submitted that the police report says that the convict prisoner's mother-in-law is counting her days and his wife/petitioner is suffering due to illness.

5. Considering the fact that the detenu is a differently-abled person; that the disability certificate shows permanent disability at 62% and having convinced about the bonafides of the petitioner's claim, this Court is inclined to permit the petitioner's husband/convict prisoner to avail leave for a period of 21 days without escort, on the following conditions.

(i) Respondents are directed to release the Convict



W.P.No.32366 of 2023

Prisoner viz., Ramanujam (Convict Prisoner No.8414),
S/o.Seenivasa Ayyangar, aged about 65 years, now confined
at Central Prison, Puzhal, on Ordinary Leave for a period of
21 days i.e., from 28.11.2023 to 18.12.2023.

(ii) The Convict Prisoner shall be released on
28.11.2023 at 10.00am and he shall be brought back to the
Central Prison, Puzhal, on 18.12.2023 at 05.00 p.m.

(iii) The Convict Prisoner is directed to report before
the E4 Abiramapuram Police Station, Chennai, once in a
week, at 05.00pm, during the period of leave.

(iv) The Convict Prisoner shall utilize the leave only
for the ground on which it has been granted and shall not
indulge in any other activities.

(S.S.S.R.,J.) (S.M.,J.)
22.11.2023

Note to Registry:

- 1.Issue order copy by 24.11.2023.
- 2.Upload the order copy forthwith.

ars



WEB COPY



W.P.No.32366 of 2023



W.P.No.32366 of 2023

WEB COPY

To

1. The Secretary to the Government of Tamil Nadu,
Department of Home,
Fort St. George,
Chennai – 600 009.

2. The Deputy Inspector General of Prison,
Puzhal Range,
Puzhal.

3. The Superintendent,
Central Prison, Puzhal.



WEB COPY



W.P.No.32366 of 2023

S.S.SUNDAR,J.

AND

SUNDER MOHAN,J.

ars

W.P.No.32366 of 2023

22.11.2023