



WEB COPY



W.P.No.32907/2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2023

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

W.P.No.32907/2023

Vellaiyammal

... Petitioner

Vs.

The State represented by its

1.The Deputy Inspector General of Prison  
Coimbatore Range, Coimbatore.

2.The Superintendent

Central Prison, Coimbatore.

... Respondents

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of certiorarified mandamus calling for the records pertaining to the impugned order bearing No.14551/Tha.Ku.3/2023 dated 10.11.2023 passed by the 2<sup>nd</sup> respondent and quash the same and consequently direct the 1<sup>st</sup> respondent to grant ordinary leave for 60 days without escort to the detenu Saravanan, son of Kandhasamy aged about 50 years bearing Convict No.825 confined at Central Prison, Coimbatore.



WEB COPY



W.P.No.32907/2023

For Petitioner : Mr.P.Bakiyaraj  
For Respondents : Mr.E.Raj Thilak  
Additional Public Prosecutor

ORDER

[Order of the Court was made by S.S.SUNDAR, J.,]

- (1)The present writ petition has been filed in the nature of certiorarified mandamus seeking to quash the order of the 2<sup>nd</sup> respondent dated 10.11.2023 and to direct the 1<sup>st</sup> respondent to grant ordinary leave to the detenu Saravanan, son of Kandhasamy aged about 50 years bearing Convict No.825, for 60 days without escort confined at Central Prison, Coimbatore.
- (2)The learned Additional Public Prosecutor accepts notice on behalf of the respondents.
- (3)3.It is seen that the detenu Saravanan was convicted for the offences u/s.302 r/w 34, 307 r/w 34, 460, 394 r/w 397 of IPC and was sentenced to life. It is further seen that earlier, the detenu was granted emergency leave during February 2009 and after completion of the emergency leave, the detenu did not return to prison. However, the detenu was later



W.P.No.32907/2023

WEB COPY

arrested in connection with a crime committed u/s.302 and 379 IPC on 05.11.2009.

(4) Having regard to the fact that the detenu was arrested and undergoing sentence committing heinous crime and his past conduct will certainly justify the order of the 2<sup>nd</sup> respondent, which is impugned in the present writ petition, refusing to grant leave, this Court finds no infirmity in the impugned order.

(5) Accordingly, this writ petition stands **dismissed**.

(6) However, if the petitioner has genuine reasons for grant of ordinary leave to the detenu/husband of the petitioner herein in future, it will be open to the respondents to consider to grant ordinary leave to the detenu with escort.

[S.S.S.R., J.] [S.M, J.]  
23.11.2023

AP

Internet : Yes

To

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



WEB COPY



W.P.No.32907/2023

S.S. SUNDAR, J.,  
and  
SUNDER MOHAN, J.,

AP

W.P. No.32907/2023

23.11.2023