



WMP No.32944 of 2023
in WP No.22892 of 2023

WMP No.32944 of 2023
in WP No.22892 of 2023

S.S.SUNDAR, J.
AND
SUNDER MOHAN, J.

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

This petition is to modify the earlier order passed by this Court in WP No.22892 of 2023 on 08.11.2023.

2.The petitioner is the wife of the life convict, who had undergone imprisonment for more than 25 years. When a representation was submitted for grant of 30 days leave to the petitioner's husband, the same was rejected by the Government, on the ground that there is life threat to the convict prisoner and also citing the conduct of the convict prisoner, when he was granted leave earlier.

3. Therefore, this Court vide order dated 08.11.2023 in WP No.22892 of 2023 granted leave for a period from 10.11.2023 to 09.12.2023, subject to certain conditions. Since the respondent has raised serious objections, by projecting the convict prisoner as a gangster and considering the life threat



WMP No.32944 of 2023
in WP No.22892 of 2023

WEB COPY

assessment of the respondent, this Court directed the 4th respondent to provide escort to the convict prisoner from Central Prison at the time he leaves the prison and till such time, he is taken back to the prison. He also observed that the cost involved in providing the escort shall be borne by the petitioner.

4. It appears that considering the life threat assessment, the escort of 11 member team is provided to the convict prisoner. Though, the petitioner has projected as if, the convict prisoner was not allowed to move around and that he was asked to confine himself in a house, this Court is not inclined to go into those aspects, in view of the statement earlier with regard to the threat assessment. The petitioner and the convict prisoner now have given a new address i.e., No.25, Maligai Poo Colony, 1st Street, VTC, Vyasarpadi, Chennai – 600 039.

5. The learned senior counsel appearing for the petitioner states that the convict prisoner will not move out from the said place except for betrothal function of his son, scheduled on 06.12.2023, where he will be permitted to move from the house to the place of betrothal function i.e. Green Park Hotel,



WMP No.32944 of 2023
in WP No.22892 of 2023

Vadapalani, Chennai -26.

WEB COPY

6. The learned Additional Public Prosecutor has no serious objection if the convict prisoner is only to attend the betrothal function at that place on a particular date.

7. From the status report filed by the respondent, this Court is of the view that the threat assessment is reasonable. Therefore, we are unable to take a view different from the suggestion that has come from the learned Additional Public Prosecutor.

8. With the only modification that the convict prisoner will now be permitted to stay at No.25, Maligai Poo Colony, 1st Street, VTC, Vyasarpadi, Chennai – 600 039 and that he will be permitted to attend the betrothal function of his son on 06.12.2023 at Green Park Hotel, Vadapalani, Chennai – 600 026, as scheduled as per the invitation, this writ miscellaneous petition stands closed.

[S.S.S.R., J] [S.M., J]
30.11.2023



*WMP No.32944 of 2023
in WP No.22892 of 2023*

Note to office:

Issue order copy and upload the same forthwith
ars



WEB COPY



*WMP No.32944 of 2023
in WP No.22892 of 2023*

S.S.SUNDAR, J.
AND
SUNDER MOHAN, J.

WMP No.32944 of 2023
in WP No.22892 of 2023

30.11.2023