



WEB COPY



W.P(MD)No.2617 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.02.2023

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

and

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

W.P.(MD)No.2617 of 2023

Maheshwari

.. Petitioner

Vs.

1.The Additional Director General of Prison,
Egmore,
Chennai - 600 008.

2.The Deputy Inspector General of Prison,
Madurai Range,
Central Prison,
Madurai.

3.The Superintendent of Prison,
Central Prison,
Madurai.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying this Court, to issue a writ of Mandamus, to direct the respondents more especially to the third respondent to grant parole to the



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petitioner's husband Jayakumar S/o.Ramachandran, aged about 52 (C.P.No. 5805) on parole for 15 days to the marriage of the petitioner's daughter on 10.02.2023 by considering her representation, dated 03.02.2023.

For Petitioner :Mr.Jegadeesh Pandian
For Respondents :Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

DR.G.JAYACHANDRAN,J
AND
K.K.RAMAKRISHNAN,J

The life convict who has challenged the conviction before the Supreme Court, wants Parole for 15 days in view of his daughter's marriage. Parole can be granted for a convict, whose case has reached an logical end. In case of appeal pending, the Court before which the appeal pending, is competent to grant bail, interim bail or suspension of sentence. Since in this case, the Supreme Court has seized of the matter, the High Court cannot entertain the petition, seeking parole, which is in fact, the prerogative of the prison authorities. If the convict really need any relief, the remedy lies before the Supreme Court, where his SLP is now pending.



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2. The learned counsel for the petitioner seeks indulgence of this Court on humanitarian ground for considering the request of granting 15 days leave to the detenu. The Petitioner, who is the wife of the detenu, has come before this Court at the 11th hour for leave citing the marriage of her daughter, which is fixed today, we see no reason to entertain this writ petition out of turn.

3. Accordingly, this writ petition is dismissed.

(G.J.,J.) (K.K.R.K.,J.)
10.02.2023

NCC:Yes/No
Index:Yes/No
Internet:Yes/No

RM



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- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
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