



WEB COPY



W.P.No.322 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2024

CORAM :

THE HON'BLE MR. JUSTICE M.S.RAMESH
AND
THE HON'BLE MR.JUSTICE SUNDER MOHAN

W.P.No.322 of 2024

Gunasundhari

...Petitioner

vs.

The State represented by its,

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

2. The Additional Director General of Prison,
Vellore Range,
Vellore – 632 002

3. The Superintendent,
Central Prison,
Cuddalore – 607 401

...Respondents

Writ Petition filed under Article 226 of the Constitution of India,
praying for issuance of a Writ of Mandamus, directing the respondents to
extend the ordinary leave for 30 days without escort to the detainee,



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Rajaprakash S/o. Gunasekaran aged about 37 years Convict No.16231
detained at Central Prison, Cuddalore.

For Petitioner :: Mr.S.Manoharan

For Respondents :: Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

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

This writ petition has been filed to direct the respondents to extend the ordinary leave for 30 days without escort to the detainee, Rajaprakash S/o. Gunasekaran aged about 37 years Convict No.16231 detained at Central Prison, Cuddalore.

2. On consideration of the petitioner's age and her ailment, this Court by earlier order dated 12.12.2023 passed in WP No.33283 of 2023 had granted Ordinary Leave from 18.12.2023 to 08.01.2024 with certain conditions. Present writ petition is for extension of the leave.

3. According to the learned counsel, the petitioner is suffering from



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severe arthritis and there is no other person in the family to support the petitioner and therefore, she seeks for extension of leave for her son.

4. This Court had earlier considered the Probation Officer's report and negatived for the reasons stated therein and thereby, ordered for grant of Ordinary Leave to the petitioner's son.

5. We had taken into consideration the reasons offered by this Court in the earlier order and therefore, we are of the view that the leave without escort be extended to the petitioner's son, for a further period of two weeks i.e. from 08.01.2024 to 22.01.2024.

6. Accordingly, the present writ petition is allowed on the following terms.

(i) The convict prisoner, namely, Rajaprakash, S/o Gunasekaran, aged about 37 years, (Convict No.16231), who is confined in Central Prison, Cuddalore, is granted ordinary leave for a period of two weeks, without escort.



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(ii) The leave shall commence from 08.01.2024

10.30 A.M. and the convict prisoner shall surrender before the third respondent by 5.30 P.M. on 22.01.2024.

(iii) The convict prisoner shall also report before the Taluk Police Station, Villupuram twice a week at 10.30 a.m., and he shall not indulge in any other illegal or unwarranted activities during the period of leave.

(M.S.R.,J.) (S.M.,J.)
08.01.2024

Note to Registry:

- 1.Issue order copy by 08.01.2024.
 - 2.Upload the order copy forthwith.
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To

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M.S.RAMESH,J.

AND

SUNDER MOHAN,J.

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