



WEB COPY



W.P.No.1458 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S.RAMESH

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

W.P.No.1458 of 2024

Vinotha

...Petitioner / wife of the detenue

VS.

The State represented by its,

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

2.The Deputy Inspector General of Prison,
Trichy Range,
Trichy Central Prison,
Trichy-620 020.

3.The Superintendent,
Central Prison,
Trichy-620 020.

...Respondents



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Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to grant ordinary leave for 30 days without escort to the detenue, Sathish, S/o. Govindhan, Convict No.23164, confined at Central Prison, Trichy.

For Petitioner : Mr.S.Manoharan

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

ORDER

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

This writ petition has been filed to direct the respondents to grant ordinary leave for 30 days without escort to the detenu, Sathish, S/o. Govindhan, Convict No.23164, confined at Central Prison, Trichy.

2. Among the three reasons assigned in the petitioner's application seeking for grant of ordinary leave, the reason that the petitioner's husband, who has been convicted for six years of imprisonment, has to participate in



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the puberty function of his daughter, has been held to be true by the Probation Officer in his report, dated 01.02.2024.

3. Heard the learned counsel on either side and perused the documents.

4. In view of the same, we are inclined to allow this writ petition and permit the petitioner's husband / convict prisoner i.e., Sathish, S/o. Govindhan, Convict No.23164, confined at Central Prison, Trichy, to avail ordinary leave for a period of 10 days without escort, on the following conditions.

(i) Respondents are directed to release the Convict Prisoner viz., Sathish, S/o. Govindhan, Convict No.23164, confined at Central Prison, Trichy, on Ordinary Leave for a period of 10 days i.e., from 09.02.2023 to 19.02.2024.

(ii) The Convict Prisoner shall be released on 09.02.2023 at 10.00 am and surrender before the Superintendent of Prison, Central Prison, Trichy-620 020, on 19.02.2024 at 05.30 p.m.



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(iii) The Convict Prisoner is directed to report before the Peralam Police Station, Thiruvarur District, twice a week i.e., on every Monday and Thursday at 05.00 pm, 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.

5. With the above directions, the writ petition stands allowed.

(M.S.R.,J.) (S.M.,J.)
07.02.2024

Note to Registry:

1. Issue order copy by 08.02.2023.
 2. Upload the order copy forthwith.
- Anu



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To

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

2.The Deputy Inspector General of Prison,
Trichy Range,
Trichy Central Prison,
Trichy-620 020.

3.The Superintendent,
Central Prison,
Trichy-620 020.

4.The Inspector of Police,
Peralam Police Station, Thiruvarur District

5. The Additional Public Prosecutor,
High Court, Madras.



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M.S.RAMESH, J

and

SUNDER MOHAN, J

Anu

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