



WEB COPY



W.P.No.1540 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2024

CORAM :

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

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Shanthi

...Petitioner/sister of the detenu

vs.

1. The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai – 600 009.

2. The Deputy Inspector General of Prisons,
Coimbatore Range,
Coimbatore-18.

3. The Superintendent of Prison,
Central Prison,
Salem-7.

...Respondents

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 28 days by considering the representation of the
petitioner dated 26.12.2023 and release her brother namely Ranjith @



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Ranjithkumar, S/o. Mani, aged about 40 years, Convict Prisoner, Central Prison, Salem.

For Petitioner : Ms.S.Nadhiya

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

ORDER

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

The prayer in the present writ petition is for grant of ordinary leave for 28 days for the petitioner's brother viz., Ranjith @ Ranjithkumar, S/o. Mani, aged about 40 years, who is a life convict prisoner, confined at Central Prison, Salem.

2. The learned Additional Public Prosecutor produced the Probation Officer's report dated 02.02.2024, in which it is stated that the reason cited by the petitioner, that the mother and wife of the convict prisoner are undergoing medical treatment due to ill health, and the reason that the Convict Prisoner's presence is required for the purpose of making



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arrangements of financial aid for education for his children, are true.

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3. In view of the positive report of the Probation Officer, dated 02.02.2024, and also by taking note of the fact that the Convict Prisoner is eligible for grant of ordinary leave for 28 days, we are inclined to allow the writ petition.

4. Therefore, in exercise of our powers, we permit the petitioner's brother / prisoner i.e., Ranjith @ Ranjithkumar, S/o. Mani, aged about 40 years, confined at Central Prison, Salem, to avail Ordinary Leave for a period of 28 days. However, since there is a possibility of potential threat posed by the affected family and relatives of the convict, and that there is a possibility of law and order problem, the leave can be granted with minimum escort. Hence, the leave is granted on the following terms.

(i) The convict prisoner viz., Ranjith @ Ranjithkumar, S/o. Mani, aged about 40 years, bearing Convict No.8929, shall be released from the prison at 10.00 a.m., on 10.02.2024;



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(ii) The convict prisoner shall return back to the prison at 7.00 p.m.,

on 08.03.2024.

(iii) The third respondent is directed to provide minimum escort of two police constables to the convict from the Central Prison from the time he leaves the prison and till such time he is taken back to the prison.

5. 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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Copy to:

The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai – 600 009.

2. The Deputy Inspector General of Prisons,
Coimbatore Range,
Coimbatore-18.

3. The Superintendent of Prison,
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4. The Additional Public Prosecutor,
High Court, Madras.



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AND

SUNDER MOHAN,J.

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