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W.P.No.2660 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2024

CORAM :

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

W.P.No.2660 of 2024

Rajeshwari

...Petitioner/Wife of the detenu

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 of General of Prison,
Chennai Range,
Chennai – 600 008.
3. The Superintendent,
Central Prison,
Puzhal – 620 020.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India,
praying for issuance of a Writ of Mandamus, directing the respondents to



W.P.No.2660 of 2024

grant ordinary leave of 30 days without escort to the detenu, Rahuman S/o.Zahir Hussain, aged about 33 years, Convict No.5249, confined at Central Prison, Puzhal – I.

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

ORDER

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

The petitioner's husband who is a life convict and confined in a Central Prison Puzhal – I, seeks for grant of ordinary leave on the ground that his daughter has attained puberty and they require to conduct puberty function on 18.02.2024.

2. In the Probation Officer's report, it is admitted that the life convict's daughter had recently attained puberty. In view of the same, we are inclined to grant ordinary leave to the petitioner's husband/convict prisoner.

3. Mr.E.Raj Thilak, the learned Additional Public Prosecutor on



W.P.No.2660 of 2024

instructions submitted that the petitioner's husband is involved in three other cases which are pending trial; otherwise, he would be entitled for 21 days of ordinary leave.

4. In the above background, we are inclined to grant ordinary leave to the convict prisoner, by taking into account that his daughter's puberty function is scheduled to be held on 18.02.2024.

5. Accordingly, this writ petition is allowed and the petitioner's husband/convict prisoner i.e., Rahuman S/o.Zakir Hussain, aged about 33 years bearing Convict No.5249, confined at Central Prison, Puzhal - I, to avail Ordinary Leave for a period of 21 days without escort, on the following conditions.

(i) Respondents are directed to release the Prisoner viz., Rahuman S/o.Zakir Hussain, aged about 33 years bearing Convict No.5249, confined at Central Prison, Puzhal- I, on Ordinary Leave for a period of 21 days i.e., from 17.02.2024 to 08.03.2024.

(ii) The Prisoner shall be released on 17.02.2024 at 10.00 a.m. and surrender before the Superintendent of



W.P.No.2660 of 2024

Prisons, Central Prison, Puzhal - I, on 08.03.2024 at 05.30 p.m.

(iii) The Prisoner is directed to report before the Inspector of Police, Ennore Police Station, Chennai daily at 05.00 p.m., during the period of leave.

(iv) The Prisoner shall utilize the leave only for the ground on which it has been granted and shall not indulge in any other activities.

6. With the above directions, the Writ Petition stands allowed.

(M.S.R.,J.) (S.M.,J.)
14.02.2024

dk

Index : Yes / No

Speaking / Non-Speaking Order

Neutral Citation : Yes / No

Note: Issue order copy on 15.02.2024.

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W.P.No.2660 of 2024

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4. The Public Prosecutor,
High Court, Madras.



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