



WEB COPY



W.P.No.3117 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S.RAMESH

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

W.P.No.3117 of 2024

Ponraj

...Petitioner

VS.

1. The Secretary,
Home Department,
Fort St.George,
Chennai-600 009.

2. The Jail Superintendent,
Puzhal Central Prison,
Puzhal, Chennai-600 066.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus directing the respondents to release the petitioner herein on parole thereby enabling him to visit his father who is the death bed at No.9/27, North Street, Chokalingapuram, Thesaiyanvelai Taluk, Thirunelveli District.



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For Petitioner : Mr.J.Chelladurai Caldwell
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.**)

On the ground that the petitioner/life convict's father had expired on 08.02.2024, the Jail Authorities had granted leave on 08.02.2024 to enable him to attend the funeral. Thereafter, the leave granted on 08.02.2024 with escort came to be extended by us till 14.02.2024.

2. Learned counsel for the petitioner would submit that the 13th days ritual is scheduled to be held on 22.02.2024 and 23.02.2024.

3. Since it is brought to our notice that the escort, who had accompanied the life convict, had travelled all the way from Central Prison, Puzhal to Palayankottai, wherein, the funeral had taken place and has been accompanying till 14.02.2024, we are of the view that the petitioner's request for grant of leave



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for the 13th day ritual i.e., on 22.02.2024 and 23.02.2024 can be granted.

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4. Accordingly, the following directions are issued:-

(i) the petitioner/lifeconvict shall be transferred from Central Prison, Puzhal to Central Prison, Palayankottai.

(ii) the escort, accompanying the life convict, shall hand over custody of the life convict to the Superintendent of Central Prisons, Palayankottai by 5.00 p.m of 14.02.2024.

(iii) the petitioner/life convict shall be confined in Central Prison, Palayankottai till 23.02.2024.

(iv) the petitioner/life convict shall be granted extraordinary leave on 22.02.2024 and 23.02.2024 with escort in order to enable him to attend the 13th day rituals of his father. The leave period shall be till 5.00 p.m. of 23.02.2024.



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(v) the escort, accompanying the life convict shall hand over the custody of the life convict to the Jail authorities of Central Prison, Puzhal thereafter and in any event not later than 10.00 a.m. of 24.02.2024.

(vi) The Superintendent of Prisons, Palayankottai shall comply with the above direction.

(iv) The life convict prisoner shall utilize the leave only for the purpose for which it has been granted and shall not indulge in any other activities.

The writ petition is ordered accordingly. No costs.

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

sr

Index:yes/no

Internet:yes/no

Note: Issue Order copy today



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To
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Fort St.George,
Chennai-600 009.
2. The Jail Superintendent,
Puzhal Central Prison,
Puzhal, Chennai-600 066.
3. The Jail Superintendent,
Central Prison,
Palayankottai.
3. The Public Prosecutor,
High Court, Chennai.



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M.S.RAMESH, J
and
SUNDER MOHAN, J

sr

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