



W.P.No.3065 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.03.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S.RAMESH
AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

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Velankanni

...Petitioner / wife of the detinue
vs.

The State represented by its,
1.The Deputy Inspector General of Prison,
Puzhal Range,
Chennai.

2.The Superintendent,
Puzhal Central Prison,
Chennai.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India,
praying for issuance of a Writ of Mandamus, to direct the respondents to
grant ordinary leave for 40 days without escort to the detinue, Karunanithi,
S/o.Manoharan, aged about 55 years bearing Convict No.15157, confined at
Central Prison, Puzhal.



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For Petitioner : Ms.S.Sadhana
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 40 days without escort to the detenu, Karunanithi, S/o.Manoharan, aged about 55 years, bearing Convict No.15157, confined at Central Prison, Puzhal.

2. The petitioner herein is the wife of the convict prisoner, who had sought for grant of ordinary leave from the prison authorities on the ground that she suffers from severe diabetes and further the first floor of their house requires to be repaired.

3.The Probation Officer, in his report dated 17.02.2024, have observed that the reasons assigned by the petitioner in her representation are



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genuine.

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

5. In the light of the Probation Officer's favourable report and taking into consideration that the petitioner's husband was last granted leave in the year 2021, and since then he has not been granted any further leave, there shall be a direction to the prison authorities to grant ordinary leave to the petitioner's husband / convict prisoner i.e., Karunanithi, S/o.Manoharan, aged about 55 years, bearing Convict No.15157, confined at Central Prison, Puzhal, for a period of 10 days without escort, on the following conditions.

(i) Respondents are directed to release the Convict Prisoner viz., Karunanithi, S/o.Manoharan, aged about 55 years, bearing Convict No.15157, confined at Central Prison, Puzhal, on Ordinary Leave for a period of 10 days i.e., from 06.03.2024 to 15.03.2024.



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(ii) The Convict Prisoner shall be released on 06.03.2024 at 10.00 am and surrender before the Superintendent of Prison, Puzhal Central Prison, Chennai, on 15.03.2024 at 05.30 p.m.

(iii) The Convict Prisoner is directed to report before the Chrompet Police Station, Tambaram Commissionerate, 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.

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

(M.S.R.,J.) (S.M.,J.)
01.03.2024

Note to Registry:

1.Issue order copy by 05.03.2024.

2.Upload the order copy forthwith.

Anu



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To

1. The Deputy Inspector General of Prison,
Puzhal Range,
Chennai.

2. The Superintendent,
Puzhal Central Prison,
Chennai.

3. The Chrompet Police Station,
Tambaram Commissionerate.

4. The Public Prosecutor,
High Court, Madras.



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M.S.RAMESH, J
and

SUNDER MOHAN, J

Anu

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