



WP.No.3302 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH
AND
THE HONOURABLE MR. JUSTICE SUNDER MOHAN

W.P.No.3302 of 2024

Poongodi

... Petitioner

Vs.

The State represented by its,
1.The Deputy Inspector General of Prison,
Coimbatore Range,
Coimbatore – 641 018.

2.The Superintendent,
Central Prison, Coimbatore – 641 018.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to grant ordinary leave for 30 days without escort to the detenu, Rameshkumar, S/o.Dharuman, aged about 37 years, convict prisoner, bearing Convict No.22520 confined at Central Prison, Coimbatore.

For Petitioner : Mr.P.Bakiyaraj

For Respondents : Mr.A.Gokulakrishnan,
Additional Public Prosecutor
assisted by Mr.C. Aravind



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ORDER

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

The petitioner's husband namely Rameshkumar, aged about 37 years, S/o.Dharuman, bearing Convict No.22520, was convicted under Section 5(j), (ii) and (I) r/w.6 of POCSO Act, 2012 and was sentenced to undergo 20 years of imprisonment along with a fine of Rs.1,00,000/- by the learned Sessions, Magalir Neethimandram (Fast Track Mahila Court), Erode in Spl.S.C.No.11/2018 dated 09.01.2020.

2. The petitioner stated that her father-in-law is suffering from chest pain and he is undergoing treatment for the same, for which her husband's presence is required to arrange medical expenses and their day-to-day livelihood. The petitioner had also given a representation dated 02.01.2024 in this regard and the same has not been considered in her favour. Hence, the petitioner has filed a present Writ Petition seeking to grant ordinary leave for 30 days to her husband.



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3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

4. In the light of the above and having regard to the limited scope of the prayer in the Writ Petition, the petitioner is granted liberty to give a fresh representation to the respondents herein, ventilating her grievances. On receipt of the same, the respondents shall consider it on its own merits and pass appropriate orders in accordance with law, within a period of four (4) weeks from the date of receipt of the representation. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim made by the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

[M.S.R., J] [S.M., J]

27.02.2024

Index: Yes/No
Internet: Yes/No
Neutral Citation: Yes/No

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

Sni

To

1.The Deputy Inspector General of Prison,
Coimbatore Range,
Coimbatore – 641 018.

2.The Superintendent,
Central Prison, Coimbatore – 641 018.

3.The Public Prosecutor,
High Court, Madras.

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