



WEB COPY



W.P.No.4269 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.03.2024

CORAM :

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

W.P.No.4269 of 2024

Jagathishwari

...Petitioner/Wife of the Detenu

VS.

The State represented by its,

1.The Secretary to the Government of Tamil Nadu,
Department of Home,
Fort St. George,
Chennai – 600 009.

2.The Deputy Inspector General of Prison,
Puzhal Range,
Puzhal.

3.The Superintendent,
Puzhal Central Prison,
Puzhal.

...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 two months without escort to the detenue, Mani,



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S/o.Annappan, aged about 62 years, Convict Prisoner, bearing
Convict No.531 confined at Central Prison, Puzhal.

For Petitioner :: Mr.P.Bakiyaraja

For Respondents :: Mr.E.Raj Thilak
Additional Public Prosecutor
Assited 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 two months without escort to the Convict Prisoner, viz.,Mani, S/o.Annappan, aged about 62 years, bearing Convict No.531, confined at Central Prison, Puzhal.

2. The petitioner herein is the wife of the Convict Prisoner, who had sought for grant of ordinary leave for her husband from the prison authorities on the ground that she needs her husband's support to arrange financial assistance for her medical treatment for undergoing hysterectomy.



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3. The Probation Officer, in his report dated 04.03.2024, have observed that the reasons assigned by the petitioner in her representation dated 29.01.2024 are genuine.

4. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor and perused the documents.

5. In the light of the Probation Officer's favourable report and taking into consideration that the medical condition of the petitioner, there shall be a direction to the prison authorities to grant ordinary leave to the petitioner's husband/convict prisoner i.e., Mani S/o.Annappan, aged about 62 years, bearing Convict No.531, confined at Central Prison, Puzhal, for a period of 21 days without escort, on the following conditions.

(i) Respondents are directed to release the Convict Prisoner viz., Mani, S/o.Annappan, aged about 62 years, bearing Convict No.531, confined at Central Prison, Puzhal, on Ordinary Leave for a period of 21 days i.e., from 11.03.2024 to 31.03.2024.



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(ii) The Convict Prisoner shall be released on 11.03.2024 at 10.00 a.m. and surrender before the Superintendent of Prison, Puzhal Central Prison, on 31.03.2024 at 05.30 p.m.

(iii) The Convict Prisoner is directed to report before the Otteri Police Station, Chennai, twice a week i.e., on every Monday and Thursday at 05.00 p.m., 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.)
07.03.2024

dk
Speaking / Non-Speaking Order
Neutral Citation : Yes / No

Note to Registry:

- 1.Issue order copy by 08.03.2024.
- 2.Upload the order copy forthwith.



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Copy to:-

1. The Secretary to the Government of Tamil Nadu,
Department of Home,
Fort St. George,
Chennai – 600 009.
2. The Deputy Inspector General of Prison,
Puzhal Range,
Puzhal.
3. The Superintendent,
Puzhal Central Prison,
Puzhal.
4. The Public Prosecutor,
High Court, Madras.



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M.S.RAMESH,J.

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SUNDER MOHAN,J.

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