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W.M.P.No.4481 of 2024

W.M.P.No.4481 of 2024
in W.P.No.32460 of 2023

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

[Order of the Court was made by *M.S.RAMESH, J.*]

This petition has been filed seeking extension of ordinary leave granted to the petitioner's husband vide order of this Court dated 11.01.2024 in W.M.P.No.32076 of 2023, from 21.02.2024 until the disposal of the above Writ Petition.

2. On consideration that though the appeal was pending before the Hon'ble Supreme Court, granting of interim bail may not be appropriate, and the co-accused involved in the subject case were already granted interim bail, we had, through an earlier order passed on 11.01.2024, granted ordinary leave for a period of 40 days between 13.01.2024 to 21.02.2024. It is now stated that the appeal is still pending before the Hon'ble Supreme Court.



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3.This apart, in the report of the Probation Officer, it is stated that the life convict, while on ordinary leave, was of good conduct and has not indulged in any complaints.

4. In view of the appeal pending before the Hon'ble Supreme Court and the positive report of the Probation Officer, we are inclined to extend the ordinary leave for a further period of 40 days commencing from 22.02.2024 till 03.04.2024.

5. Hence, the petitioner's husband / convict prisoner i.e., Mohammed Moosa S/o.Mohammed Haneefa, Convict No.9400, is permitted to avail ordinary leave for a further period of 40 days without escort, on the following conditions.

(i) Respondents are directed to release the Convict Prisoner viz., Mohammed Moosa S/o.Mohammed Haneefa, Convict No.9400, on Ordinary Leave for a further period of 40 days i.e., from 22.02.2024 to 03.04.2024.



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(ii) The Convict Prisoner shall surrender before the Superintendent of Prison, Central Prison, Palayamkottai, on 03.04.2024 at 05.00 p.m.

(iii) The Convict Prisoner is directed to report before the Melapalayam Police Station, Tirunelveli, twice a week i.e., on every Monday and Thursday at 05.00 pm, during the period of leave.

(iv) During the period of leave, the Probation Officer shall furnish a report touching upon the conduct of the detainee whilst he was on leave.

(v) 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.

[M.S.R., J] [S.M., J]
20.02.2024
(1/2)

Anu

Note: Issue Order Copy on 21.02.2024.



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