



WEB COPY



W.P.No.6398 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.03.2024

CORAM :

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

W.P.No.6398 of 2024

Tamilarasi

...Petitioner/Mother 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,
Coimbatore Range,
Coimbatore Central Prison,
Coimbatore – 641 018.

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

...Respondents



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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 30 days without escort to the detenu, Ajith @ Ajith Kumar S/o.Thangaraj, aged about 28 years, Convict No.20459, detained at Central Prison, Coimbatore.

For Petitioner :: M/s.K.Akshaya

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.)

The prayer in the present writ petition is for the grant of ordinary leave for 30 days to the petitioner's son viz., Ajith @ Ajith Kumar S/o.Thangaraj, aged about 28 years, Convict Prisoner, Convict No.20459, Central Prison, Coimbatore.

2. Mr.E.Raj Thilak, the learned Additional Public Prosecutor, produced the Probation Officer's report dated 13.03.2024, in which it is stated that the reason for which the leave is sought for by the Convict Prisoner is to make financial arrangements for the livelihood of his family



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members, and there is no life threat for the Convict Prisoner. The learned Additional Public Prosecutor further submitted that the Convict Prisoner is eligible for 28 days of ordinary leave.

3. In view of the positive report of the Probation Officer dated 13.03.2024 and also by taking note of the reason for which the leave is sought for, we are inclined to allow the writ petition and grant ordinary leave for a period of 28 days.

4. Accordingly, we permit the petitioner's son/Convict Prisoner i.e., Ajith @ Ajith Kumar S/o.Thangaraj, aged about 28 years, Convict No.20459, confined at Central Prison, Coimbatore, to avail Ordinary Leave for a period of 28 days without escort, on the following conditions.

(i) Respondents are directed to release the Convict Prisoner viz., Ajith @ Ajith Kumar S/o.Thangaraj, aged about 28 years, bearing Convict No.20459, confined at Central Prison, Coimbatore, on ordinary leave for a period of 28 days i.e., from 22.03.2024 to 18.04.2024.



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(ii) The Convict Prisoner shall be released on 22.03.2024 at 10.00 a.m. and surrender before the Superintendent of Prison, Coimbatore Central Prison, on 18.04.2024 at 05.30 p.m.

(iii) The Convict Prisoner is directed to report before the Singanalur Police Station, Coimbatore District, 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.)
19.03.2024

dk

Index : Yes / No

Speaking / Non-Speaking Order

Neutral Citation : Yes / No

Note to Registry:

1. Issue order copy by 21.03.2024.
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,
Coimbatore Range,
Coimbatore Central Prison,
Coimbatore – 641 018.
3. The Superintendent,
Central Prison,
Coimbatore – 641 018.
4. The Public Prosecutor,
High Court, Madras.



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