



WEB COPY



W.P.No.6767 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2024

CORAM :

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

W.P.No.6767 of 2024

A.Gayathri

...Petitioner/husband of the detenu

vs.

1.The Secretary,
Government of Tamilnadu,
Home Department,
Fort St.George,
Chennai-600 009.

2.The Deputy Inspector General of Prison,
Prison Department,
Whannels Road, Ansari Estate,
Egmore, Chennai-600 008.

3.The Superintendent of Prison,
Central Prison,
Coimbatore.

4.The Deputy Superintendent of Police,
NIBCID,
Coimbatore.

...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 parole for the petitioner's husband by name, Arun Kumar, son of Manoharan (Convict No.23468), who is now under incarceration at Central Prison, Coimbatore, for a period of two months to undergo operation to remove plate on his right fractured leg and to make school admission for his children based on the petitioner's representation dated 29.01.2024.

For Petitioner : Mr.D.Anantha Padmanabhan

For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor
assisted by C.Aravind

ORDER

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

The prayer in the present writ petition is for grant of ordinary leave for two months for the petitioner's husband viz., Arun Kumar, son of Manoharan (Convict No.23468), confined at Central Prison, Coimbatore.



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2. The learned Additional Public Prosecutor produced the Probation Officer's report dated 19.03.2024, in which it is stated that the reason cited by the petitioner, that the prisoner was unable to walk because of the plate which has fixed in his operated leg, and needs to be removed, and the reason that the school in which the prisoner's son is studying is insisting on the prisoner's signature, are true and recommended for grant of leave with escort.

3. In view of the report of the Probation Officer, we are inclined to invoke our powers under Article 226 of the Constitution of India, thereby granting required leave to the petitioner's husband with escort.

4. Accordingly, the petitioner's husband / prisoner i.e., Arun Kumar, son of Manoharan (Convict No.23468), confined at Central Prison, Coimbatore, is permitted to avail Ordinary Leave for a period of 15 days with minimum escort. Hence, the leave is granted on the following terms.



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(i) The convict prisoner viz., Arun Kumar, son of Manoharan (Convict No.23468), shall be released from the prison at 10.00 a.m., on 22.04.2024;

(ii) The convict prisoner shall return back to the prison at 7.00 p.m., on 06.05.2024.

(iii) The third respondent is directed to provide minimum escort of two police constables to the convict from the Central Prison from the time he leaves the prison and till such time he is taken back to the prison.

5. The writ petition stands allowed.

(M.S.R.,J.) (S.M.,J.)
08.04.2024

Note to Registry:

1. Issue order copy by 18.04.2024.

2. Upload the order copy forthwith.

Anu



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Copy to:

- 1.The Secretary,
Government of Tamilnadu,
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Fort St.George,
Chennai-600 009.
- 2.The Deputy Inspector General of Prison,
Prison Department,
Whannels Road, Ansari Estate,
Egmore, Chennai-600 008.
- 3.The Superintendent of Prison,
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- 4.The Deputy Superintendent of Police,
NIBCID,
Coimbatore.
5. The Public Prosecutor,
High Court, Madras.



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M.S.RAMESH,J.

AND

SUNDER MOHAN,J.

Anu

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