



W.P.No.7415 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2024

CORAM:

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

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Sasikala

...Petitioner

VS.

1.State By: The Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai – 600 009.

2.The Director General of Police,
I.G.of Prisons,
Gandhi Irwin Road,
Egmore, Chennai – 600 008.

3.The Superintendent of Prisons,
Central Prison,
Puzhal,
Chennai – 600 066.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India,
praying for issuance of a Writ of Certiorarified Mandamus, directing the
respondents to grant ordinary leave for 21 days by considering the
representation of the petitioner dated 22.02.2024 for her husband



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Jai Manohar S/o.Elango Manohar, Convict No.10465 aged about 45 years,
Convict Prisoner, Central Prison, Puzhal.

For Petitioner :: Ms.S.Nadhiya
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.)

This writ petition has been filed directing the respondents to grant ordinary leave for 21 days by considering the representation of the petitioner dated 22.02.2024 for her husband Jai Manohar S/o.Elango Manohar, Convict No.10465 aged about 45 years, Convict Prisoner, Central Prison, Puzhal.

2. In the affidavit filed in support of the present writ petition, it is stated that the leave is required by the convict prisoner for arranging funds for education of his children and medical expenses of his mother.

3. Mr.E.Raj Thilak, the learned Additional Public Prosecutor produced the copy of the Probation Officer's report dated 25.03.2024,



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wherein, the Probation Officer has recommended for grant of leave to the Convict Prisoner with escort and also confirms the reason assigned by the Convict Prisoner for leave.

4. Though the Probation Officer has recommended for grant of leave, the condition stated therein is that the leave could be granted with escort. Since no specific reason has been given for suggesting escort, we are inclined to grant 10 days of ordinary leave, without escort, to the Convict Prisoner.

5. Accordingly, we permit the petitioner's husband/Convict Prisoner viz., Jai Manohar S/o.Elango Manohar, Convict No.10465 aged about 45 years, confined at Central Prison, Puzhal, to avail Ordinary Leave for a period of 10 days without escort, on the following conditions.

(i) Respondents are directed to release the Convict Prisoner viz., Jai Manohar S/o.Elango Manohar, Convict No.10465 aged about 45 years, confined at Central Prison, Puzhal, Chennai on Ordinary Leave for a period of 10 days i.e., from 08.04.2024 to 17.04.2024.



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(ii) The Convict Prisoner shall be released on 08.04.2024 at 10.00 a.m. and surrender before the Superintendent of Prison, Central Prison Puzhal, on 17.04.2024 at 05.30 p.m.

(iii) (iii) The Prisoner is directed to report before the Inspector of Police, Mogappair East, Police Station, Chennai twice a week i.e., on every Monday and Thursday at 05.00pm, 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.

5. With the above directions, the writ petition stands allowed.

(M.S.R.,J.) (S.M.,J.)
04.04.2024

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

Note to Registry:

1. Issue order copy by 08.04.2024.
2. Upload the order copy forthwith.



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Copy to:-

- 1.The Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai – 600 009.
- 2.The Director General of Police,
I.G.of Prisons,
Gandhi Irwin Road,
Egmore, Chennai – 600 008.
- 3.The Superintendent of Prisons,
Central Prison,
Puzhal,
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- 4.The Public Prosecutor,
High Court, Madras.



WEB COPY



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M.S.RAMESH,J.

AND

SUNDER MOHAN,J.

dk

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