



W.P.No.8409 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2024

CORAM:

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

W.P.No.8409 of 2024

Gowri,

...Petitioner

vs.

1.The Deputy Inspector General of Prison,
Chennai Range,
Prison Head Quarters,
Whannels Road,
Egmore, Chennai – 600 008.

2.The Superintendent of Prison,
Central Prison – 1,
Chennai – 600 066.

...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 21 days Ordinary Leave to the petitioner's brother Manikandan Son of
Dhanabal aged 32 years, Convict Prisoner, now confined in the Central
Prison – 1, Puzhal, Chennai – 66.



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For Petitioner :: M/s.K.Sakthivel
for
Mr.P.Pugalenth
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 to direct the respondents to grant 21 days of ordinary leave to the petitioner's brother/Convict Prisoner namely Manikandan S/o.Dhanabal aged 32 years, bearing Convict No.7246 confined at Central Prison - I, Puzhal, Chennai – 600 066.

2. In the affidavit filed in support of the present writ petition, it is stated that the leave is required for arranging funds for medical expenses of the Convict Prisoner's father.

3. Mr.E.Raj Thilak, the learned Additional Public Prosecutor, produced the copy of the Probation Officer's report dated 15.04.2024, wherein he has not recommended for the grant of leave to the Convict Prisoner namely Manikan, S/o.Dhanabal, aged about 32 years,



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Convict Prisoner, bearing Convict No.7246, confined at Central Prison – I, Puzhal, Chennai – 600 066.

4. Though the Probation Officer had not recommended for grant of ordinary leave, we have taken note of the fact that the prisoner has been in prison for more than five years. Furthermore, the prisoner's father is also claimed to be seriously ill, for which, the medical certificate also been produced before us. In consideration of these factors, we are inclined to exercise our powers under Article 226 of the Constitution of India to grant 21 days of ordinary leave, ***without escort***, to the Convict Prisoner.

5. Accordingly, we permit the petitioner's brother/Convict Prisoner namely Manikandan S/o.Dhanabal, bearing Convict No.7246, confined at Central Prison, Puzhal – I, Chennai – 600 066, to avail Ordinary Leave for a period of 21 days “***without escort***”, on the following conditions.

(i) Respondents are directed to release the Convict Prisoner namely Manikandan S/o.Dhanabal, bearing Convict No.7246, confined at Central Prison, Puzhal – I, Chennai – 600 066, on Ordinary Leave for a period of



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21 days i.e., from 25.04.2024 to 15.05.2024.

(ii) The Convict Prisoner shall be released on 25.04.2024 at 10.00 a.m. and surrender before the Superintendent of Prison, Central Prison Puzhal - I, Chennai – 600 066, on 15.05.2024 at 05.30 p.m.

(iii) The Convict Prisoner is directed to report before K1 - Sembium Police Station, Chennai, twice a week i.e., on every Monday and Thursday at 05.00 pm, 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.)
22.04.2024

Neutral Citation : Yes / No
dk

Note to Registry:

1. Issue order copy by 24.04.2024.
2. Upload the order copy forthwith.

Copy to:-

1. The Deputy Inspector General of Prison,
Chennai Range,



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Prison Head Quarters,
Whannels Road,
Egmore, Chennai – 600 008.

2.The Superintendent of Prison,
Central Prison – 1,
Chennai – 600 066.

3.The Public Prosecutor,
High Court, Madras.



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M.S.RAMESH,J.

AND

SUNDER MOHAN,J.

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