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W.P.No.9277 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.04.2024

CORAM:

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

W.P.No.9277 of 2024

S.Chithra

...Petitioner

VS.

1.The State represented by its,
The Deputy Inspector General of Prison,
Gandhi Irvin Road, Egmore,
Chennai – 600 008.

2.The Superintendent,
Puzhal Central Prison,
Puzhal – 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 ordinary leave for 30 days without escort to the detenu, Raj @
Srinivasan S/o.Mani aged about 34 years bearing Convict No.6882,
confined at Central Prison, Puzhal.



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W.P.No.9277 of 2024

For Petitioner :: Ms.S.Sadhana
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 grant ordinary leave for 30 days without escort to the detenu viz., Raj @ Srinivasan S/o.Mani aged about 34 years. bearing Convict No.6882, confined at Central Prison, Puzhal.

2. In the affidavit filed in support of the present writ petition, it is stated that the leave is required for repairing the damaged house of the Convict Prisoner, to make arrangements for the medical expenses of the petitioner/Convict prisoner's wife, and to cover the educational expenses of his children.

3. Mr.E.Raj Thilak, the learned Additional Public Prosecutor, produced a copy of the Probation Officer's report dated 03.10.2023, wherein, it is stated that the reasons for which the leave is sought for are



W.P.No.9277 of 2024

true and the Probation Officer has recommended the grant of leave to the Convict Prisoner. The learned Additional Public Prosecutor further submitted that the Convict Prisoner is eligible for 28 days of ordinary leave.

4. Considering the positive report of the Probation Officer and the reason for which the leave is sought for, we are inclined to allow the writ petition and to grant 28 days of ordinary leave, ***without escort***, to the Convict Prisoner.

5. Accordingly, we permit the petitioner's husband/Convict Prisoner viz., Raj @ Srinivasan S/o.Mani aged about 34 years. bearing Convict No.6882, confined at Central Prison, Puzhal, 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., Raj @ Srinivasan S/o. Mani aged about 34 years, bearing Convict No.6882, confined at Central Prison, Puzhal, on Ordinary Leave for a period of 28 days i.e., from 25.04.2024 to 22.05.2024.



WEB COPY



W.P.No.9277 of 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, on 22.05.2024 at 05.30 p.m.

(iii) The Prisoner is directed to report before the Inspector of Police, Somangalam Police Station, Kancheepuram District, 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.)
18.04.2024

dk

Speaking / Non-Speaking Order

Neutral Citation : Yes / No

Note to Registry:

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



W.P.No.9277 of 2024

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Copy to:-

- 1.The Deputy Inspector General of Prison,
Gandhi Irvin Road, Egmore,
Chennai – 600 008.
- 2.The Superintendent,
Puzhal Central Prison,
Puzhal – 600 066.
- 3.The Public Prosecutor,
High Court, Madras.



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W.P.No.9277 of 2024

M.S.RAMESH,J.

AND

SUNDER MOHAN,J.

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W.P.No.9277 of 2024

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