



W.P.No.9013 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.04.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S.RAMESH
AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

W.P.No.9013 of 2024

M.Thamizh Selvan

...Petitioner/son of the detenue

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,
Chennai.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India,
praying for issuance of a Writ of Mandamus, to direct the respondents to
grant ordinary leave for 30 days without escort to the detenue, Mari,
S/o.Murugesan, aged about 46 years, bearing Convict No.7427, confined at
Central Prison, Puzhal.



W.P.No.9013 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 direct the respondents to grant ordinary leave for 30 days, without escort, to the petitioner's father/ detainee viz., Mari, S/o.Murugesan, aged about 46 years, bearing Convict No.7427, confined at Central Prison, Puzhal.

2.Heard the learned counsel on either side and perused the documents.

3.On the grounds that the presence of the petitioner's father is required to make arrangements for admission of his children in the school and for the livelihood of his family, the petitioner herein seeks for grant of ordinary leave for a period of 30 days.



W.P.No.9013 of 2024

WEB COPY

4.The Probation Officer, in his report dated 12.04.2024, stated about the good conduct of the prisoner and has recommended for grant of leave.

5. In view of the favourable recommendation 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 herein.

6.At this juncture, learned Additional Public Prosecutor submitted that the petitioner is otherwise eligible to avail 21 days of ordinary leave.

7.Accordingly, the convict prisoner viz., Mari, S/o.Murugesan, aged about 46 years, bearing Convict No.7427, confined at Central Prison, Puzhal, is hereby granted ordinary leave for a period of 21 days, without escort commencing from 22.04.2024 on the following conditions.

(i) Respondents are directed to release the Convict Prisoner viz., Mari, S/o.Murugesan, aged about 46 years, bearing Convict No.7427, on Ordinary Leave for a period of 21 days i.e., from 22.04.2024 to 12.05.2024.



W.P.No.9013 of 2024

(ii) The Convict Prisoner shall be released on 22.04.2024 at 10.00 am and surrender before the Superintendent of Prison, Puzhal Central Prison, Chennai, on 12.05.2024 at 05.30 p.m.

(iii) The Convict Prisoner is directed to report before the Inspector of Police, Chunnambedu 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.

8. Accordingly, the writ petition stands allowed.

(M.S.R.,J.) (S.M.,J.)
17.04.2024

Note to Registry:

1.Issue order copy by 18.04.2024.

2.Upload the order copy forthwith.

Anu

To

1.The Deputy Inspector General of Prison,



W.P.No.9013 of 2024

Gandhi Irvin Road, Egmore,
Chennai-600 008.

WEB COPY

2.The Superintendent,
Puzhal Central Prison,
Chennai.

3.The Inspector of Police,
Chunnambedu Police Station,
Chennai.

4.The Public Prosecutor,
High Court, Madras.

M.S.RAMESH, J
and

SUNDER MOHAN, J

Anu



WEB COPY



W.P.No.9013 of 2024

W.P.No.9013 of 2024

17.04.2024