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W.P.No.9113 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.9113 of 2024

Jesima Parveen

...Petitioner/Wife of the detenu

VS.

The State represented by its,
1.The Deputy Inspector General of Prison,
Coimbatore Zone,
Coimbatore.

2.The Superintendent,
Coimbatore Central Prison,
Coimbatore.

...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, Mansoor
Ahmed, S/o. Mubarak, aged 30 years, Convict Prisoner, bearing Convict
No.23027, at Central Prison, Coimbatore.



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For Petitioner :: Mr.S.Pandiyan
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., Mansoor Ahmed, S/o. Mubarak, aged 30 years, Convict Prisoner, bearing Convict No.23027, at Central Prison, Coimbatore.

2. In the affidavit filed in support of the present writ petition, it is stated that the leave is required for financial assistance for the livelihood of the Convict Prisoner's family.

3. Mr.E.Raj Thilak, the learned Additional Public Prosecutor produced the copy of the Probation Officer's report dated 17.04.2024, wherein, it is stated that the reason for which the leave is sought for is true and the Probation Officer has recommended the grant of leave to the



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Convict Prisoner with escort. The learned Additional Public Prosecutor further submitted that the prisoner is eligible for 21 days of ordinary leave.

4. Though the Probation Officer has recommended the grant of leave, the condition stated therein is that the leave could be granted with an escort. Since no specific reason has been given for suggesting escort, we are inclined to grant 21 days of ordinary leave, ***without escort***, to the Convict Prisoner.

5. Accordingly, we permit the petitioner's husband/Convict Prisoner viz., Mansoor Ahmed, S/o. Mubarak, aged 30 years, Convict Prisoner, bearing Convict No.23027, confined at Central Prison, Coimbatore, 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 viz., Mansoor Ahmed, S/o. Mubarak, aged 30 years, Convict Prisoner, bearing Convict No.23027, confined at Central Prison, Coimbatore on Ordinary Leave



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for a period of 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 Coimbatore, on 15.05.2024 at 05.30 p.m.

(iii) The Prisoner is directed to report before the Inspector of Police, Mangalam Police Station, Tirruppur 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.



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Copy to:-

- 1.The Deputy Inspector General of Prison,
Coimbatore Zone,
Coimbatore.
- 2.The Superintendent,
Coimbatore Central Prison,
Coimbatore.
- 3.The Public Prosecutor,
High Court, Madras.



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AND

SUNDER MOHAN,J.

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