



WEB COPY



W.P.No.10146 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.06.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S.RAMESH
AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

W.P.No.10146 of 2024

Patturajan

...Petitioner

VS.

1.The State rep by its,
The Home Secretary to Government,
Prison Department, Secretariat,
Chennai-600 009.

2.The Director General of Prisons,
No.02, Whannels Road, Egmore,
Chennai-600 008.

3.The Superintendent of Prison,
Central Prison at Puzhal,
Thiruvallur District-600 066.

...Respondents



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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 30 days ordinary leave without escort to the petitioner namely Mr.Patturajan, S/o.Natarajan, by considering the petitioner's wife representation dated 14.03.2024.

For Petitioner : Mr.M.Mohamed Saifulla
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 30 days of ordinary leave without escort to the petitioner by considering the petitioner's wife representation dated 14.03.2024.

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



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3. On the grounds that the presence of the petitioner is required to make arrangements for education expenses of his son and for the livelihood of his family, the petitioner herein seeks for grant of ordinary leave for a period of 30 days.

4.The Probation Officer, in his report dated 23.04.2024, stated about the good conduct of the prisoner and has accordingly 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 28 days of ordinary leave.



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7. Accordingly, the convict prisoner viz., Patturajan, S/o.Natarajan, now confined at Central Prison at Puzhal-I, Thiruvallur District, is hereby granted ordinary leave for a period of 28 days, without escort commencing from 16.06.2024 on the following conditions.

(i) Respondents are directed to release the Convict Prisoner viz., Patturajan, S/o.Natarajan, on Ordinary Leave for a period of 28 days i.e., from 16.06.2024 to 13.07.2024.

(ii) The Convict Prisoner shall be released on 16.06.2024 at 10.00 am and surrender before the Superintendent of Prison, Central Prison at Puzhal, Thiruvallur District, on 13.07.2024 at 05.30 p.m.

(iii) The Convict Prisoner is directed to report before the Inspector of Police, R-7, K.K.Nagar, 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.



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WEB COPY 8. Accordingly, the writ petition stands allowed.

(M.S.R.,J.) (S.M.,J.)
10.06.2024

Note to Registry:

- 1.Issue order copy by 14.06.2024.**
 - 2.Upload the order copy forthwith.**
- Anu

To

1.The Home Secretary to Government,
Prison Department, Secretariat,
Chennai-600 009.

2.The Director General of Prisons,
No.02, Whannels Road, Egmore,
Chennai-600 008.

3.The Superintendent of Prison,
Central Prison at Puzhal,
Thiruvallur District-600 066.

4.The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J

Anu

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