



W.P.No.12730 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

and

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

W.P.No.12730 of 2024

Venkatesh

... Petitioner

Vs.

1.The State rep by its
The Home Secretary (Prison Department)
St. George Fort, Chennai 600 009

2.The Deputy Inspector General of Range
Coimbatore Range, Gandhipuram
Coimbatore 641 012

3.The Superintendent of Prison
Central Prison at Salem
Hasthampatty, Salem - 07

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the respondents to grant 30 days ordinary leave without escort to the petitioner namely Venkatesh, S/o.Perumal by considering petitioner's representation dated 27.03.2024.



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For Petitioner : Mr.Mohamed Saifulla
For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

M.S.RAMESH, J.
and
SUNDER MOHAN, J.

This Writ Petition has been filed seeking for a direction, to direct the respondents to grant 30 days ordinary leave without escort to the petitioner namely Venkatesh, S/o.Perumal by considering petitioner's representation dated 27.03.2024.

2. The learned counsel for the petitioner submitted that the petitioner's mother namely Padmavathy, is suffering serious old age ailments, especially Acute Myocardial Infarction, the doctors who examined her and her medical records, suggested to take immediate medical treatment. Hence, the petitioner's mother has given a representation dated 27.03.2024 seeking the presence of the petitioner, and the same is pending.



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3. Learned Additional Public Prosecutor has produced a report from the Probation Officer and the same is in favour of the life convict and the Probation Officer has stated that the reason for which the petitioner seeks for grant of ordinary leave for his son, is genuine.

4. Since the report of the Probation Officer dated 11.06.2024, is in favour of the petitioner, we are inclined to consider the prayer sought for in this Writ Petition.

5. Accordingly, there shall be a direction to the respondents herein, to grant 30 days ordinary leave ***“without escort”*** to the life convict namely Mr.Venkatesh, S/o.Perumal, Convict No.906, commencing from 28.06.2024 to 27.07.2024, with a condition that the life convict shall report before the jurisdictional Police i.e. Magudan Savadi Police Station, Salem District, daily at 10.30 a.m. After expiry of the Ordinary Leave, the life convict shall surrender before the Jail Authority on 28.07.2024 before 10.00 a.m. The prisoner shall utilize the leave only for the purpose for which it has been granted and shall not indulge in any other activities.



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and
SUNDER MOHAN, J.

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6. With the above direction, the Writ Petition stands allowed. No

costs.

[M.S.R., J]

[S.M., J]

24.06.2024

Index: Yes/No
Neutral Citation

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Note: Issue Order Copy on 27.06.2024

To
The Home Secretary (Prison Department)
St. George Fort, Chennai 600 009

2.The Deputy Inspector General of Range
Coimbatore Range, Gandhipuram
Coimbatore 641 012

3.The Superintendent of Prison
Central Prison at Salem
Hasthampatty, Salem - 07

4.The Public Prosecutor
High Court of Madras
Chennai 600 104

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