



WEB COPY



W.P.No.12773 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.12773 of 2024

Katchiya

... Petitioner

Vs.

1.The Director General of Police &
Director General of Prisons and Correctional Service
Whannels Road
Egmore, Chennai 600 008

2.The Superintendent of Prisons
Central Prison -1
Puzhal, Chennai 600 066

... 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 21 days ordinary leave for the petitioner's husband namely, Anthony S/o.Nagooran, aged 56 years, Convict Prisoner, Central Prison, Puzhal.

For Petitioner

: Ms.S.Nadhiya



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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 21 days ordinary leave for the petitioner's husband namely, Anthony S/o.Nagooran, aged 56 years, Convict Prisoner in Central Prison, Puzhal, Chennai.

2. The learned counsel for the petitioner submitted that the petitioner's son, who is a plumber, has fell down and his hand bone got fractured. In this situation, the petitioner needs her husband's presence for some days to make arrangement for her son's medical expenses. Thereby, a representation dated 10.04.2024 was sent to the respondents, which is yet to be considered. Hence, the present petition.

3. The learned Additional Public Prosecutor has produced a report from the Probation Officer and the same is in favour of the life convict



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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 23.05.2024, 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 21 days ordinary leave **“without escort”** to the life convict namely Mr.Anthony, S/o.Nagooran, aged about 56 years, Convict Prisoner No.8274, commencing from 28.06.2024 to 18.07.2024, with a condition that the life convict shall report before the jurisdictional Police i.e. S-14, Peerkankaranai Police Station, Chennai District, daily at 10.30 a.m. After expiry of the Ordinary Leave, the life convict shall surrender before the Jail Authority on 19.07.2024 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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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

1.The Director General of Police &
Director General of Prisons and Correctional Service
Whannels Road
Egmore, Chennai 600 008

2.The Superintendent of Prisons
Central Prison -1
Puzhal, Chennai 600 066

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

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