



W.P.No.14678 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

and

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

W.P.No.14678 of 2024

Ramathal

... Petitioner

Vs.

1.The Deputy Inspector General of Prisons,
Coimbatore Range,
Coimbatore – 641 018.

2.The Superintendent,
Central Prison,
Coimbatore – 641 018.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the respondent to grant ordinary leave for 2 months without escort to the detenue, Senthilkumar, S/o.Palanisamy aged about 40 years, convict prisoner, bearing Convict No.14662, at Central Prison, Coimbatore.

For Petitioner : Mr.S.Pandiyan

For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor



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ORDER

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

This writ petition has been filed for the issuance of Writ of Mandamus, directing the respondents to grant ordinary leave for two months without escort for petitioner's son namely Senthilkumar, S/o.Palanisamy, aged about 40 years, Convict prisoner, Convict No.14662, confined at Central Prison, Coimbatore.

2. The learned counsel for the petitioner submitted that a representation dated 17.04.2024 has been given to the respondents seeking for grant of two (2) months ordinary leave to her son on the ground that she is already 84 years, her two sons have already died and one daughter got married and went. He added that the petitioner is left with no one to support her and she had to manage with the old age allowance of Rs.1,200/- granted to her. The petitioner also wishes to spend sometime with her only son. Since, the representation of the petitioner was not considered by the respondents, the present petition has been preferred by the petitioner.



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3. The learned Additional Public Prosecutor has produced a report of the Probation Officer dated 08.05.2024, which is in favour of the life convict and the Probation Officer has stated that the reason for which the petitioner seeks ordinary leave for her son, is a genuine one.

4. Since the Probation Officer has recommended that the reasons assigned in the representation are genuine, this Court is inclined to consider the prayer sought for by the petitioner in this Writ Petition.

5. This Writ Petition stands allowed accordingly. Consequently, there shall be a direction to the respondents herein, to grant 28 days ordinary leave ***“without escort”*** to the life convict namely Senthil Kumar, S/o.Palanisamy, aged about 40 years, Life Convict No.14662, commencing from 26.06.2024 to 23.07.2024, with a condition that the life convict shall report before the jurisdictional Police i.e. Pollachi West Police Station, Coimbatore District, twice in a week viz. on Monday and Friday at 10.30 a.m. After expiry of the Ordinary Leave, the life convict



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shall surrender before the Jail Authority on 24.07.2024 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.

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

[M.S.R., J]

[S.M., J]

20.06.2024

Index: Yes/No
Neutral Citation

kas

Note: Issue Order Copy on 25.06.2024

To

1. The Deputy Inspector General of Prisons,
Coimbatore Range,
Coimbatore – 641 018.

2. The Superintendent,
Central Prison,
Coimbatore – 641 018.

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



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