



WEB COPY



W.P.No.15314 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.06.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

W.P.No.15314 of 2024

Rani

... Petitioner

Vs.

1.The State represented by its,
The Deputy Inspector General of Prison,
Gandhi Irwin Road,
Egmore,
Chennai – 600 008.

2.The Superintendent,
Puzhal Central Prison - I,
Puzhal – 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 ordinary leave for 30 days without escort to the detenu Kuppan, S/o.Varadhan, aged about 32 years, bearing Convict No.4754, confined at Central Prison, Puzhal.

For Petitioner

: Ms.S.Sadhana



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For Respondents

: Mr.A.Gokulakrishnan,
Additional Public Prosecutor

ORDER

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

The petitioner's son is a life convict, who was convicted for the offence under Sections 147, 302 r/w. 149 of IPC and was sentenced to undergo life imprisonment in S.C.No.136 of 2010 by the learned III Additional Sessions Judge, Chennai on 23.08.2012. The petitioner's son has completed 11 years of imprisonment.

2. The learned counsel for the petitioner submitted that the petitioner requires the presence of her son/life convict to make arrangements for her medical expenses and livelihood. The petitioner has given a representation to the respondents on 08.04.2024, seeking to grant ordinary leave to her son. Since the same has not been considered till date, she has filed the present Writ Petition.



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3. The learned Additional Public Prosecutor has produced a report of the Probation Officer dated 27.06.2024, which states that the reason assigned by the petitioner, seeking leave for her son, is genuine and he recommends to grant leave to the life convict prisoner, however, with strong escort.

4. By taking into consideration the report of the Probation Officer, recommending to grant leave to the convict prisoner, as well as the reasons assigned by the petitioner in the affidavit filed in support of this petition, we are inclined to grant ordinary leave for a period of 28 days to the petitioner's son/life convict by invoking our powers under Article 226 of the Constitution of India.

5. Accordingly, the respondents are directed to grant 28 days Ordinary Leave “*without escort*” to the petitioner's son/life convict namely Kuppan, S/o.Varadhan, aged about 32 years, Convict No.4754 commencing from 04.07.2024 to 31.07.2024, with a condition that the life convict shall report before the jurisdictional Police i.e. H-6, R.K. Nagar Police Station, Chennai District, daily at 10.30 am. After expiry of



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the Ordinary Leave, the life convict shall surrender before the Jail Authority on 01.08.2024 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 directions, the Writ Petition stands allowed. No costs.

[M.S.R., J]

[S.M., J]

28.06.2024

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes/No

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Note: Issue Order Copy on 03.07.2024.



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1.The Deputy Inspector General of Prison,
Gandhi Irwin Road,
Egmore,
Chennai – 600 008.

2.The Superintendent,
Puzhal Central Prison - I,
Puzhal – 600 066.

3.The Public Prosecutor,
High Court, Madras.



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