



W.P.No.15167 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2024

CORAM:

THE HON'BLE MR.JUSTICE M.S.RAMESH
AND
THE HON'BLE MR.JUSTICE SUNDER MOHAN

W.P.No.15167 of 2024

Jayammal

...Petitioner/Mother of the detenu

VS.

The State rep by its,

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

2.The Superintendent,
Open Prison, Ondiputhur,
Coimbatore District – 641 018.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India,
praying for issuance of a Writ of Mandamus, directing the respondents to
grant 15 days emergency leave, without escort to the detenu, Tamilselvam,



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S/o.Kamaraj, aged about 33 years, bearing Convict No.1278 confined at Open Prison, Ondiputhur, Coimbatore.

For Petitioner :: Mr.P.Bakiyaraj
For Respondents :: Mr.A.Gokulakrishnan
 Additional Public Prosecutor

ORDER

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

This writ petition has been filed to direct the respondents to grant 30 days of emergency leave without escort to the petitioner's son, namely Tamilselvam, S/o.Kamaraj, aged about 33 years, bearing Convict No.1278, confined at Open Prison, Ondiputhur, Coimbatore.

2. On the ground that the petitioner/mother of the convict prisoner is diagnosed with cancer in the uterus and the petitioner's son's presence is required to assist her, the prayer sought for grant of ordinary leave for her son, who has been sentenced to imprisonment for a period of 12 years RI.



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3. We had directed the learned Additional Public Prosecutor to produce the report of the Probation Officer catching upon the petitioner's health. After an inquiry, the Probation Officer has submitted a report dated: 21.06.2024, wherein, he stated that there is no critical illness to the petitioner and that her health condition is normal.

4. Since the reason for which the petitioner has sought leave for her son/convict prisoner has been negatived by the Probation Officer, her claim for the grant of emergency leave does not require consideration. Hence, the Writ Petition stands dismissed accordingly.

(M.S.R.,J.) (S.M.,J.)
10.07.2024

Speaking / Non-Speaking Order
Neutral Citation : Yes / No
dk



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Copy to:-

1. The Deputy Inspector General of Prison,
Coimbatore Range,
Coimbatore – 641 018.
2. The Superintendent,
Open Prison, Ondiputhur,
Coimbatore District – 641 018.
3. The Public Prosecutor,
High Court, Madras.



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