



W.P.No.15338 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.07.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S.RAMESH
AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

W.P.No.15338 of 2024

Lakshmi

...Petitioner/mother of the detenue

vs.

1.The Deputy Inspector General of Prisons,
Chennai Range,
Prison Head Quarters,
Whannels Road,
Egmore,
Chennai-600 008.

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

...Respondents

Writ Petition filed under Article 226 of the Constitution of India,
praying for issuance of a Writ of Mandamus, to direct the respondents to
grant 28 days ordinary leave, without escort for the petitioner's son namely,



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Bala, S/o.Kandeshwararoa, aged 32 years, Convict Prisoner, Central Prison,
Puzhal.

For Petitioner : Mr.S.Nadhiya
For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor
Assisted by Mr.C.Aravind

ORDER

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

This writ petition has been filed to direct the respondents to grant ordinary leave for 28 days, without escort, to the petitioner's son / detenue viz., Bala, S/o.Kandeshwararoa, aged 32 years, Convict Prisoner, detained at Central Prison, Puzhal.

2.Heard the learned counsel on either side and perused the documents.

3. On the grounds that the doctor has advised the petitioner to remove



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her uterus through surgery, for which, the presence of the petitioner's son is required to make financial arrangements and to make arrangements for their livelihood, the petitioner seeks for grant of ordinary leave for a period of 28 days.

4.The Probation Officer, in his report dated 28.06.2024, has confirmed the reason assigned by the petitioner in her affidavit that she requires surgery on her uterus, and has accordingly recommended for grant of leave.

5. In view of the favourable recommendation of the Probation Officer, we are inclined to invoke our powers under Article 226 of the Constitution of India, thereby granting required leave to the petitioner's son / convict prisoner.

6.At this juncture, learned Additional Public Prosecutor submitted that the prisoner is otherwise eligible to avail 28 days of ordinary leave.

7.Accordingly, the convict prisoner viz., Bala, S/o.Kandeshwararoa,



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aged 32 years, Convict Prisoner, detained at Central Prison, Puzhal, is hereby granted ordinary leave for a period of 28 days, without escort commencing from 11.07.2024 on the following conditions.

(i) Respondents are directed to release the Convict Prisoner viz., Bala, S/o.Kandeshwararoa, aged 32 years, on Ordinary Leave for a period of 28 days i.e., from 11.07.2024 to 07.08.2024.

(ii) The Convict Prisoner shall be released on 11.07.2024 at 10.00 am and surrender before the Superintendent of Prison, Central Prison-1, Puzhal, Chennai, on 07.08.2024 at 05.30 p.m.

(iii) The Convict Prisoner is directed to report before the Inspector of Police, M5 Ennore Police Station, Chennai, twice a week i.e., on every Monday and Thursday at 05.00 pm, during the period of leave.

(iv) The Convict Prisoner shall utilize the leave only for the ground on which it has been granted and shall not indulge in any other activities.



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WEB COPY 8. Accordingly, the writ petition stands allowed.

(M.S.R.,J.) (S.M.,J.)
04.07.2024

Note to Registry:

- 1.Issue order copy by 10.07.2024.**
 - 2.Upload the order copy forthwith.**
- Anu

To

1.The Deputy Inspector General of Prisons,
Chennai Range,
Prison Head Quarters,
Whannels Road,
Egmore,
Chennai-600 008.

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

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

Anu



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WEB COPY

3.The Inspector of Police,
M5 Ennore Police Station,
Chennai.

4.The Public Prosecutor,
High Court, Madras.

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