



WEB COPY



W.P.No.15623 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.07.2024

CORAM :

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

W.P.No.15623 of 2024

Kala

...Petitioner/wife of the detenu

vs.

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

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

...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 ordinary leave for 30 days without escort to the detenu, Vijayakumar
S/o. Veeran aged about 45 years, bearing Convict No.6878, 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 prayer in the present writ petition is for grant of ordinary leave for 30 days for the petitioner's husband viz., Vijayakumar S/o. Veeran aged about 45 years, bearing Convict No.6878, confined at Central Prison, Puzhal.

2. The learned Additional Public Prosecutor submitted that the Probation Officer has recommended for grant of ordinary leave to the prisoner and also produced the report of the Probation Officer dated 28.06.2024, in which it is stated that the reason cited by the petitioner, that the prisoner's wife is suffering from medical ailments and the presence of the prisoner is required to arrange funds for her treatment and to improve the livelihood of his daughter, are true.

3. In view of the favourable report of the Probation Officer, dated



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28.06.2024, and also by taking note of the fact that the Convict Prisoner is eligible for grant of ordinary leave for 21 days, we are inclined to allow the writ petition.

4. Therefore, in exercise of our powers, we permit the petitioner's brother / prisoner i.e., Vijayakumar S/o. Veeran aged about 45 years, bearing Convict No.6878, confined at Central Prison, Puzhal, to avail Ordinary Leave for a period of 21 days. Hence, the leave is granted on the following terms.

i) Respondents are directed to release the Convict Prisoner viz., Vijayakumar S/o. Veeran aged about 45 years, bearing Convict No.6878, confined at Central Prison, Puzhal, on Ordinary Leave for a period of 21 days i.e., from 08.07.2024 to 28.07.2024.

(ii) The Convict Prisoner shall be released on 08.07.2024 at 10.00 am and surrender before the Superintendent of Prison, Central Prison, Puzhal, on 28.07.2024 at 05.30 p.m.

(iii) The Convict Prisoner is directed to report before the Inspector of Police, H2 Guduvancherry Police Station,



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twice a week at 10.00 am, 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.

5. The writ petition stands allowed.

(M.S.R.,J.) (S.M.,J.)
02.07.2024

Note to Registry:

1. Issue order copy by **05.07.2024**.
 2. Upload the order copy forthwith.
- dk



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Copy to:

- 1.The Deputy Inspector of General of Prison
Gandhi Irwin Road, Egmore,
Chennai-600 008.
- 2.The Superintendent
Puzhal Central Prison,
Puzhal – 600 066.
- 3.The Superintendent
Central Prison,
Puzhal.
- 4.The Public Prosecutor
High Court, Madras.



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