



W.P.No.16579 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.07.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

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Keerthana

... Petitioner/daughter of the detenue

Vs.

1.The Deputy Inspector General of Prisons,
Prison Head Quarters,
Egmore,
Chennai.

2.The Superintendent of Prison,
Central Prison,
Chennai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, to direct the respondent to grant ordinary leave for 21 days without escort for the petitioner's mother namely Krishnaveni, W/o.Murugesan, aged about 50 years, Convict Prisoner, Central Prison, Puzhal.



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For Petitioner : Ms.S.Nadhiya
For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

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

This petition has been filed seeking a Writ of Mandamus to direct the respondents to grant ordinary leave for a period of 21 days without escort for the petitioner's mother viz., Krishnaveni, W/o.Murugesan, aged about 50 years, confined at Central Prison, Puzhal, who was convicted for the offences under Section 370(4) IPC and was sentenced to undergo rigorous imprisonment for life; under Section 4(1) of ITP Act and was sentenced to undergo rigorous imprisonment for 10 years; under Section 5(1) of ITP Act and was sentenced to undergo 7 years of rigorous imprisonment; under Section 6(1) of ITP Act and was sentenced to undergo 10 years of rigorous imprisonment; under Section 6 r/w 17 of POCSO Act, she was sentenced to undergo imprisonment for life by the Special Court for Exclusive Trial of Cases under POCSO Act, Chennai in



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S.C.No.37 of 2015.

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2. The learned counsel for the petitioner submitted that the petitioner's mother/convict prisoner has undergone 3 years, 4 months and 3 days of imprisonment, including the remand set off period and that she seeks for ordinary leave for her mother to arrange funds for her medical expenses as she has certain medical ailments.

3. The Probation Officer, in his report dated 09.07.2024, has stated that the reasons assigned by the petitioner for grant of leave is true and he has recommended for grant of ordinary leave to the petitioner's mother.

4. 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 convict prisoner.

5. At this juncture, learned Additional Public Prosecutor submitted that the convict prisoner is otherwise eligible to avail 21 days of ordinary



5. Accordingly, the convict prisoner viz., Krishnaveni, W/o.Murugesan, aged about 50 years, confined at Central Prison, Puzhal, is hereby granted ordinary leave for a period of 21 days, without escort commencing from 22.07.2024 on the following conditions.

(i) Respondents are directed to release the Convict Prisoner viz., Krishnaveni, W/o.Murugesan, on Ordinary Leave for a period of 21 days i.e., from 22.07.2024 to 11.08.2024.

(ii) The Convict Prisoner shall be released on 22.07.2024 at 10.00 am and surrender before the Superintendent of Prison, Central Prison, Puzhal, Chennai, on 11.08.2024 at 05.30 p.m.

(iii) The Convict Prisoner is directed to report before the Inspector of Police, F5 Choolaimedu Police Station, Chennai, daily 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



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not indulge in any other activities.

8. Accordingly, the writ petition stands allowed. No Costs.

[M.S.R., J] [S.M., J]
16.07.2024

Speaking/Non-speaking order
Index: Yes/No

Anu

Note: Issue Order Copy on 19.07.2024

To

1.The Deputy Inspector General of Prisons,
Prison Head Quarters,
Egmore,
Chennai.

2.The Superintendent of Prison,
Central Prison,
Chennai.

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

Anu

3.The Inspector of Police,
F5, Choolaimedu Police Station,



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Chennai.

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4.The Public Prosecutor,
High Court, Madras.

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