



WEB COPY



W.P.No.17001 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.07.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

and

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

W.P.No.17001 of 2024

Ranjitha

... Petitioner

Vs.

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

2.The Superintendent of Prison
Puzhal Central Prison -1
Chennai 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, Chandran S/o.Arumugam, aged about 32 years bearing Convict No.9056 confined at Central Prison, Puzhal.



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

ORDER

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

This Writ Petition has been filed seeking for a direction, to direct the respondents to ordinary leave for 30 days without escort to the detenu, Chandran S/o.Arumugam, aged about 32 years bearing Convict No.9056 confined at Central Prison, Puzhal.

2. The learned counsel for the petitioner submitted that the petitioner's mother in law, who was managing the house of the petitioner fell down and her hand got fractured, due to which, the petitioner also could not attend any outside work as she needs to take care of her mother in law. It is further submitted that the petitioner is having two years old child. Hence, the petitioner needs the presence of her husband to make arrangement for the medical expenses of her mother in law as well as for



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her family. Thereby, a representation dated 23.05.2024 was sent to the respondents. Hence, the present petition.

3. The learned Additional Public Prosecutor submitted that since the above said prisoner has not completed three years of imprisonment from the date of conviction, he is not eligible for ordinary leave as per Rule No.22(1)(c) of Tamilnadu Suspension of Sentence Rules 1982 as amended in G.O.Ms.No.205 Home (Prison - V) Department dated 25.04.2022. He has also produced a report from the Probation Officer, wherein the Probation Officer has stated that the mother in law of the petitioner is not at all sick and she is blessed with a sound health and the reason assigned by the petitioner in the representation is not genuine.

4. Even though the report of the Probation Officer dated 17.07.2024 is not in favour of the petitioner, this Court is inclined to grant three days ordinary leave to the prisoner, as the prisoner is having a two year old child.



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5. Accordingly, there shall be a direction to the respondents herein, to grant three (3) days ordinary leave **“without escort”** to the life convict namely Mr.Chandran, S/o.Arumugam, aged about 32 years, Convict Prisoner No.9056, commencing from 26.07.2024 to 28.07.2024, with a condition that the life convict shall report before the jurisdictional Police i.e. Kundrathur Police Station, Chennai District, daily at 10.30 a.m. After expiry of the Ordinary Leave, the life convict shall surrender before the Jail Authority on 29.07.2024 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 direction, the Writ Petition stands allowed. No costs.

[M.S.R., J]

[S.M., J]

19.07.2024

kas

Note: Issue Order Copy on 24.07.2024

Index : Yes / No
Neutral Citation



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

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

3.The Public Prosecutor
High Court of Madras
Chennai 600 104



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