



W.P.No.17306 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.07.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

W.P.No.17306 of 2024

Mallika

... Petitioner

Vs.

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

2.The Superintendent
Puzhal 600 066

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondents to grant ordinary leave for 30 days without escort to the detenu, Kotteeswaran, S/o.Thamizhselvan, aged about 25 years, bearing Convict No.9354, confined at Central Prison, Puzhal.

For Petitioner : Ms.S.Sadhana

For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor



WP.No.17306 of 2024

ORDER

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

The petitioner in the above Writ Petition seeks for a direction to the respondents to grant ordinary leave for 30 days without escort to the detenu, Kotteeswaran, S/o.Thamizhselvan, aged about 25 years, bearing Convict No.9354, confined at Central Prison, Puzhal.

2.Admittedly, there are three criminal cases against the petitioner, which are pending trial in different Courts at Chennai and as per Rule No.35 of Tamil Nadu Suspension of Sentence Rules, 1982, a prisoner is ineligible to seek for leave when there are cases pending trial against him. This apart, the Probation Officer has also not recommended the petitioner's case for grant of leave on the ground that the reason assigned by the petitioner in his application that his mother is seriously ill is not at all genuine and there is also a life threat to him from the rival group.



WP.No.17306 of 2024

3. In view of the above, this Court is not inclined to grant the relief sought for by the petitioner in the above writ petition. The writ petition stands dismissed accordingly. No costs.

[M.S.R., J] [S.M., J]
23.07.2024

kas

Index : Yes / No
Neutral Citation

To

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

2. The Superintendent
Puzhal 600 066

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



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W.P.No.17306 of 2024

M.S.RAMESH, J.
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W.P.No.17306 of 2024

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