



W.P.No.17255 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.17255 of 2024

Tamilselvi

... 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 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, Sathishkumar, S/o.Nagarajan, aged about 37 years, bearing Convict No.8680 confined at Central Prison, Puzhal, Chennai.



WEB COPY



W.P.No.17255 of 2024

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 grant ordinary leave for 30 days without escort to the detenu, Sathishkumar, S/o.Nagarajan, aged about 37 years, bearing Convict No.8680 confined at Central Prison, Puzhal, Chennai.

2. It is submitted by the learned counsel for the petitioner that the petitioner is the mother of the life convict. The petitioner's husband has already passed away and she is staying with her two daughters. The petitioner is not feeling well as she had undergone heart surgery and she also has other old age ailments. She needs the presence of her son to take care of her and make financial arrangements for the family. Hence, a representation was given to the respondents on 16.05.2024, which is yet



W.P.No.17255 of 2024

to be considered. Hence, the present writ petition.

WEB COPY

3. The learned Additional Public Prosecutor appearing for the respondents produced submitted a Probation Officer's report, which is in favour of the petitioner. The Probation Officer has also stated in his report that the reasons assigned in the leave application are genuine and the prisoner's mother is seriously ill.

4. Since the report of the Probation Officer is in favour of the petitioner, we are inclined to invoke the powers of this Court under Article 226 of the Constitution of India, for the purpose of directing the respondents to release the petitioner on ordinary leave without escort for a period of 21 days.

5. Accordingly, there shall be a direction to the respondents herein, to grant 21 days ordinary leave ***“without escort”*** to the life convict namely Mr.Satishkumar, S/o.Nagarajan, aged about 37 years, Convict Prisoner No.8680, confined at Central Prison, Puzhal, Chennai,



W.P.No.17255 of 2024

WEB COPY

commencing from 30.07.2024 to 20.08.2024, with a condition that the life convict shall report before the jurisdictional Police i.e. J-8, Neelankarai 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 21.08.2024 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]

23.07.2024

kas

Note: Issue order copy on 29.07.2024

To

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

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



W.P.No.17255 of 2024

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



WEB COPY



W.P.No.17255 of 2024

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

kas

W.P.No.17255 of 2024

23.07.2024