



W.P.No.17244 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.17244 of 2024

M.Jayashree

... 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, Dinakaran, S/o.Mohan Raj, aged about 36 years, bearing Convict No.6393, confined at Central Prison, Puzhal, Chennai.



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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 grant ordinary leave for 30 days without escort to the detenu, Dinakaran, S/o.Mohan Raj, aged about 36 years, bearing Convict No.6393, confined at Central Prison, Puzhal, Chennai.

2. It is submitted by the learned counsel for the petitioner that the petitioner is the sister of the life convict. The petitioner's father has recently expired. It is also submitted that the petitioner is an unmarried lady and as the elder brother, she needs the presence of her brother to fix a marriage for her. The prisoner's presence is also required as he has to make arrangements for the funds to pay their house rent as it is due for more than a year. Hence, a representation was given by the petitioner to



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the respondents on 29.05.2024. Hence the above writ petition.

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3. The learned Additional Public Prosecutor appearing for the respondents produced 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 they are looking for a bride to the petitioner.

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 28 days.

5. Accordingly, there shall be a direction to the respondents herein, to grant 28 days ordinary leave **“without escort”** to the life convict namely Mr.Dinakaran, S/o.Mohan Raj, aged about 36 years, Convict Prisoner No.6393, confined at Central Prison, Puzhal, Chennai, commencing from 30.07.2024 to 28.08.2024, with a condition that the



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life convict shall report before the jurisdictional Police i.e. K-5, Peravallur 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 29.08.2024 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

3.The Public Prosecutor
High Court of Madras



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