



W.P.No.16985 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.07.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S.RAMESH

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

W.P.No.16985 of 2024

Basheera

...Petitioner/Wife of the detenu

VS.

1.The Principal Secretary to Government
Home (Prison) Department,
Tamil Nadu Government Secretariat,
St.George Fort,
Chennai - 600 009.

2.The Additional D.G.P./I.G. Of Prisons,
CMDA Towers II,
No-1, Gandhi Erwin Road,
Egmore, Chennai – 600 008.

3.The Superintendent of Prison,
Central Prison, Puzhal – I,
Chennai – 600 066



W.P.No.16985 of 2024

4.The Inspector of Police,
H6 R.K.Nagar Police Station
Chennai.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, to direct the respondents to grant parole to the detainee Mani @ Manirathinam, (CP.No.4752), male aged about 35 years, S/o. Sundar, now confined in Central Prison, Puzhal – I, Chennai in pursuant to the petitioner's representation dated 18.06.2024 for a period of one month without police escort.

For Petitioner : Mr.V.Karthick

For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

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

This writ petition has been filed to direct the respondents to grant parole to the detenu Mani @ Manirathinam (CP No.4752), male aged about 35 years S/o.Sundar, confined in Central Prison, Puzhal – I, Chennai in



W.P.No.16985 of 2024

pursuant to the petitioner's representation dated 18.06.2024 for a period of one month without police escort.

2. Heard learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents and perused the documents.

3. On the grounds that the detenu/husband of the petitioner is undergoing treatment for throat cancer of the fourth stage in Stanley Government Hospital as an inpatient, the petitioner herein seeks for grant of ordinary leave for a period of one month for her husband/detenu. .

4. The Probation Officer, in his report dated 08.07.2024 has confirmed that the said prisoner was diagnosed with mouth cancer, and as per the referral of the Prison Medical Officer, he was sent to the Government Stanley Medical and Hospital on 11.06.2024, where he was admitted as an inpatient on the same day, has been undergoing treatment there since then, and has accordingly recommended the grant of leave.



W.P.No.16985 of 2024

5. 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 the required leave to the Convict Prisoner.

6. At this juncture, the learned Additional Public Prosecutor submitted that the petitioner is otherwise eligible to avail 28 days of ordinary leave.

7. Accordingly, the Convict prisoner viz., Mani @ Manirathinam, (CP.No.4752), male aged about 35 years, S/o. Sundar, is hereby granted ordinary leave for a period of 28 days, without escort commencing from 16.07.2024 on the following conditions.

(i) The Convict Prisoner shall surrender before the Superintendent of Prison, Central Prison, Puzhal - I, Chennai, on 12.08.2024 at 05.30 p.m.

(ii) The Convict Prisoner shall utilize the leave only for the ground on which it has been granted and shall not indulge in any other activities.



W.P.No.16985 of 2024

WEB COPY 8. Accordingly, the writ petition stands allowed.

(M.S.R.,J.) (S.M.,J.)
10.07.2024

Note to Registry:

- 1.Issue order copy by 15.07.2024.**
- 2.Upload the order copy forthwith.**

dk

To

- 1.The Principal Secretary to Government
Home (Prison) Department,
Tamil Nadu Government Secretariat,
St.George Fort,
Chennai - 600 009.
- 2.The Additional D.G.P./I.G. Of Prisons,
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WEB COPY



W.P.No.16985 of 2024

M.S.RAMESH, J

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W.P.No.16985 of 2024

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