



W.P.No.17037 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.17037 of 2024

Noorjahan

... 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 Prisons
Puzhal Central Prison - I
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, Jalaludin, S/o.Bakrudin, aged about 35 years, bearing Convict No.8426, 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 grant ordinary leave for 30 days without escort to the detenu, Jalaludin, S/o.Bakrudin, aged about 35 years, bearing Convict No.8426, confined at Central Prison, Puzhal.

2. It is submitted by the learned counsel for the petitioner that the petitioner is the wife of the life convict. They are having two school going children. Since the prisoner's mother is not well and affected by nervous disorder and bed ridden, she wants to have her son beside her. It is also submitted that the presence of the prisoner is needed to arrange finance for the school fees and for running their household. Accordingly, a representation dated 27.05.2024 was sent to the respondents. Hence,



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the present petition.

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3. The learned Additional Public Prosecutor has produced a report from the Probation Officer, which is in favour of the petitioner. The Probation Officer has stated in his report that the above said prisoner is convicted under the POCSO Act and that the victim's family is not staying in the locality of the petitioner. He has also stated that the reasons assigned in the representation are genuine.

4. Since the report of the Probation Officer dated 12.06.2024, is in favour of the petitioner, this Court is inclined to consider the prayer sought for in this Writ Petition.

5. Accordingly, there shall be a direction to the respondents herein, to grant one week ordinary leave ***“without escort”*** to the life convict namely Mr.Jalaludin, S/o.Basurudin, aged about 35 years, Convict Prisoner No.8426, commencing from 25.07.2024 to 31.07.2024, with a condition that the life convict shall report before the jurisdictional Police i.e. G3, Kilpauk Police Station, Chennai District, daily at 10.30 a.m.



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After expiry of the Ordinary Leave, the life convict shall surrender before the Jail Authority on 01.08.2024 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]

19.07.2024

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Note: Issue Order Copy on 24.07.2024

To

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

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

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



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