



WEB COPY



W.P.No.17339 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

and

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

W.P.No.17339 of 2024

Anjali

... 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 - I
Puzhal 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, Subramani, S/o.Nagalingam, aged about 30 years bearing Convict No.8327, confined at Central Prison, Puzhal.



W.P.No.17339 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 to grant ordinary leave for 30 days without escort to the detenu, Subramani, S/o.Nagalingam, aged about 30 years bearing Convict No.8327, confined at Central Prison, Puzhal.

2. It is submitted by the learned counsel for the petitioner that the petitioner is having two minor daughters and her in laws are senior citizens. The father of the prisoner has a meagre income and her mother in law is affected with stroke. The petitioner is also working in a nearby hotel to earn some money for their day to day expenses. The presence of the prisoner is awaited for making arrangement of school fees and for medical treatment of their aged in laws. Hence, a representation dated



W.P.No.17339 of 2024

WEB COPY

01.06.2024 was given to the respondents and the same is yet to be considered by the respondents. Hence, the above writ petition.

3. The learned Additional Public Prosecutor appearing for the respondents produced a report from the Probation Officer, which is in favour of the petitioner. The Probation Officer has stated in his report that the reasons assigned in the representation are genuine. The parents of the prisoner are aged and they are under continuous treatment. They are also in need of money to pay the school fees of their children.

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



W.P.No.17339 of 2024

WEB COPY

namely Mr.Subramani, S/o.Nagalingam, aged about 30 years, Convict Prisoner No.8327, commencing from 31.07.2024 to 20.08.2024, with a condition that the life convict shall report before the jurisdictional Police i.e. K-1, Sembium 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]

25.07.2024

kas

Note: Issue order copy on 30.07.2024

Index : Yes / No

Neutral Citation

To



W.P.No.17339 of 2024

WEB.COM

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

2.The Superintendent
Puzhal, Central Prison - I
Puzhal 600 066

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

M.S.RAMESH, J.
and



WEB COPY



W.P.No.17339 of 2024

SUNDER MOHAN, J.

kas

W.P.No.17339 of 2024

25.07.2024