



W.P.No.17821 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.17821 of 2024

S.Elumalai

... Petitioner

Vs.

1.The Superintendent of Prison
Central Prison - I
Puzhal, Chennai 600 066

2.The Inspector General
Prison and Correctional Service Department
Monteith Road, Egmore
Chennai

3.The Inspector of Police
CBI / ACB / Chennai

... 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 permit leave for 30 days without escort to the petitioner.



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For Petitioner : Mr.Prakash Goklaney
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 permit leave for 30 days without escort to the petitioner.

2. Since the petitioner has been convicted with the maximum imprisonment for seven years and he has completed only 11 months of imprisonment including the remand period is set off, he would not be entitled to seek for 30 days of ordinary leave, in view of the bar under Section 22(1) of the Tamil Nadu Suspension of Sentence Rules 1982 as amended in G.O.(Ms) No.205 Home (Prison-V) Department dated 25.04.2022.



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3. In view of the above, the writ petition stands dismissed.

However, if the petitioner intends to seek for any emergency leave, liberty is hereby granted to him to make an application before the appropriate jail authorities. No costs.

[M.S.R., J]

[S.M., J]

19.07.2024

kas

Index : Yes / No

Neutral Citation

To

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Puzhal, Chennai 600 066

2.The Inspector General
Prison and Correctional Service Department
Monteith Road, Egmore
Chennai

3.The Inspector of Police
CBI / ACB / Chennai

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



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