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W.P.No.17116 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2024

CORAM :

**THE HONOURABLE MR. JUSTICE M.S.RAMESH
AND
THE HONOURABLE MR. JUSTICE SUNDER MOHAN**

W.P.No.17116 of 2024

R.Indira

.. Petitioner

Versus

1. The Government of Tamil Nadu,
Rep. by its Secretary to Government,
Home (Prison IV) Department,
Fort St. George, Chennai - 9.
 2. The Director General of Prison and
Inspector General of Prison,
Whannels Road, Egmore,
Chennai - 600 008.
 3. The Superintendent of Prison,
Central Prison at Vellore (Convicted Prison),
Ramset Nagar, Thorapadi,
Vellore - 2.
- .. Respondents**

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to grant parole for 30 days without escort to the petitioner's husband namely Rajini @ Parthiban, son of Rathinam, aged 45 years, Life Convict No.4329, detained at Central Prison, Vellore.



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For Petitioner : Mr.Rakesh Ayyappan

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 for 30 days, without escort, to the petitioner's husband / detenue viz., Rajini @ Parthiban, S/o.Rathinam, aged about 46 years, Life Convict No.4329, Central Prison, Puzhal.

2. Heard the learned counsel on either side and perused the documents.

3. On the grounds that the presence of the petitioner's husband is required to admit their son, who is mentally retarded, to a special school and to make financial arrangements for the petitioner's treatment, the petitioner herein seeks for grant of parole for a period of 30 days to her husband.



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4. The Superintendent of Prisons, Central Prison, Vellore, in the particulars of the life convict filed before this Court, stated that the detenue is eligible for ordinary leave of 28 days as per the Tamil Nadu Prison Manual Rule 22 (2) (C), as per Tamil Nadu Suspension of Sentence Rules 1982.

5. In view of the same, we are inclined to invoke our powers under Article 226 of the Constitution of India, thereby granting parole to the petitioner's husband/detenue herein.

6. Accordingly, the convict prisoner viz., Rajini @ Parthiban, S/o.Rathinam, aged about 45 years, bearing Convict No.4329, confined at Central Prison, Vellore, is hereby granted parole for a period of 28 days, without escort commencing from 17.07.2024 on the following conditions.

(i) Respondents are directed to release the Convict Prisoner viz., Rajini @ Parthiban, S/o.Rathinam, aged about 45 years, on parole for a period of 28 days i.e., from 17.07.2024 to 13.08.2024.

(ii) The Convict Prisoner shall be released on 17.07.2024 at 10.00 am and surrender before the



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Superintendent of Prisons, Central Prison, Vellore, on
13.08.2024 at 05.30 p.m.

(iii) The Convict Prisoner is directed to report before the Inspector of Police, Sevvapet Police Station, Tiruvallur district, twice a week at 05.00 pm, during the period of leave.

(iv) 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.

7. Accordingly, the Writ Petition stands allowed. No costs

[M.S.R., J] [S.M., J]
11.07.2024

Index : yes/no
Speaking order/Non-speaking order
Neutral Citation : yes/no
grs

Note :- Issue order copy on 16.07.2024.

To

1. The Secretary to Government,
Home (Prison IV) Department,
Fort St. George, Chennai - 9.



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2. The Director General of Prison and
Inspector General of Prison,
Whannels Road, Egmore,
Chennai - 600 008.
3. The Superintendent of Prison,
Central Prison at Vellore (Convicted Prison),
Ramset Nagar, Thorapadi,
Vellore - 2.
4. The Inspector of Police,
Sevvapet Police Station,
Tiruvallur distrit.
5. The Public Prosecutor,
High Court of Madras.



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**M.S.RAMESH, J.
AND
SUNDER MOHAN, J.**

grs

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