



WEB COPY



W.P.No.17726 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.17726 of 2024

Suresh

... Petitioner

Vs.

1.The Deputy Inspector General of Prisons
Chennai Range
Prison Head Quarters
Whannels Road
Egmore, Chennai 600 008

2.The Superintendent of Prisons
Central Prison - I
Puzhal, 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 6 days emergency leave by without escort for the petitioner namely Suresh, S/o.Sundaresan, aged 50 years, Convict Prisoner, Convict No.2181, Central Prison, Puzhal.



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For Petitioner : Ms.S.Nadhiya
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 6 days emergency leave by without escort for the petitioner namely Suresh, S/o.Sundaresan, aged 50 years, Convict Prisoner, Convict No.2181, Central Prison, Puzhal.

2. It is submitted by the learned counsel for the petitioner that the petitioner's wife is suffering from uterus cancer and the doctors have advised her to remove the uterus. Hence, the petitioner seeks for a grant of emergency leave to make financial arrangement for her surgery and to be present with her during the surgery. Accordingly, a representation dated 22.06.2024 was sent to the respondents. Hence, 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 in his report has stated that the uterus surgery to his wife has already been done and when the same was enquired, the petitioner's wife told that she wants the presence of her husband to assist her during this time. He has also stated that the reasons assigned in the representation are genuine.

4. Since the report of the Probation Officer dated 10.07.2024, 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.Suresh, S/o.Sundaresan, aged about 49 years, Convict Prisoner No.2181, commencing from 25.07.2024 to 30.07.2024, with a condition that the life convict shall report before the jurisdictional Police



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i.e. R-10, M.G.R.Nagar 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 31.07.2024 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 Prisons
Chennai Range
Prison Head Quarters
Whannels Road
Egmore, Chennai 600 008

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

3.The Public Prosecutor



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High Court of Madras
Chennai 600 104

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

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