



W.P.No.18735 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

W.P.No.18735 of 2024

Renu

... Petitioner

Vs.

1.The State rep. 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 namely Mari @ Marimuthu, S/o.Renu, aged about 58 years, bearing Convict No.5615, confined at Central Prison, Puzhal.

For Petitioner : Ms.S.Sadhana



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For Respondents

: Mr.A.Gokulakrishnan,
Additional Public Prosecutor

ORDER

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

The petitioner's son is a life convict, who was convicted for the offence under Sections 302 & 380 of IPC and was sentenced to undergo life imprisonment in S.C.No.36 of 2013 by the learned Principal District Sessions Judge-I, Thiruvallur on 10.06.2013. Now, on the ground that the petitioner requires the presence of his son/life convict for making livelihood arrangements, arrangements for their medical expenses and for taking care of his parents, he has sought for 30 days ordinary leave for his son. He has given a representation dated 27.05.2024 in this regard and since the same has not been considered till date, he has filed the present Writ Petition.

2. The learned counsel for the petitioner submitted that the life convict has undergone nearly 10 years of imprisonment.

3. Though the particulars produced by the learned Additional



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Public Prosecutor of the life convict dated 10.07.2024 states that the life convict is eligible for grant of leave, a report of the Probation Officer dated 10.07.2024, states that since the conduct of the life convict during his previous leave was not satisfactory, he is not recommending for grant of leave.

4. By taking into consideration the period of incarceration undergone by the life convict, as well as the reasons assigned in the affidavit filed in support of this petition, we are inclined to grant 28 days of ordinary leave to the petitioner's son/life convict, by invoking our powers under Article 226 of the Constitution of India.

5. Accordingly, the respondents are directed to grant 28 days Ordinary Leave **“without escort”** to the petitioner's son/life convict namely Mari @ Marimuthu, S/o.Renu, commencing from 12.08.2024 to 08.09.2024, with a condition that the life convict shall report before the jurisdictional Police i.e. Ambattur Police Station, Chennai, daily at 10.30 A.M. After expiry of the Ordinary Leave, the life convict shall surrender



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before the Jail Authority on 09.09.2024 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 directions, the Writ Petition stands allowed. No costs.

[M.S.R., J]

[S.M., J]

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes/No

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Note: Issue Order Copy on 09.08.2024.



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To

1.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 Inspector of Police,
Ambattur Police Station,
Chennai.

4.The Public Prosecutor,
High Court, Madras.



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