



W.P.No.19430 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S.RAMESH
AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

W.P.No.19430 of 2024

Mrs.Malathi

...Petitioner

vs.

1.The State rep by
The Government of Tamil Nadu
Rep. by its Secretary to Government,
Home Department,
Secretariat,
Chennai – 600 009.

2.The Deputy General of Police &
The Director General of Prisons,
Wannels Road, Egmore,
Chennai – 600 008.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India,



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praying for issuance of a Writ of Mandamus, to direct the 2nd respondent to grant 30 days of ordinary leave to the petitioner's husband Mr.Dinesh Kumar @ Deena, S/o. Rajendran on the basis of the petitioner's representation dated 13.06.2024.

For Petitioner : Mr.P.Surendran

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 2nd respondents to grant 30 days of ordinary leave without escort to the petitioner's husband/Convict Prisoner viz., Dinesh Kumar @ Deena, S/o. Rajendran, CT.No.6378, now confined in Central Prison – I, Puzhal, Chennai by considering the petitioner's representation dated 13.06.2024.

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

3. On the grounds that the presence of the Convict Prisoner is required



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to make arrangements for education expenses of his daughter and for the livelihood of his family, the petitioner/wife of the Convict Prisoner herein seeks for grant of ordinary leave for a period of 28 days.

4.The Probation Officer, in his report dated 24.07.2024, stated about the good conduct of the prisoner and has accordingly recommended for grant of leave.

5. In view of the favourable recommendation of the Probation Officer, we are inclined to invoke our powers under Article 226 of the Constitution of India, thereby granting required leave to the petitioner herein.

6.At this juncture, learned Additional Public Prosecutor submitted that the petitioner is otherwise eligible to avail 28 days of ordinary leave.

7.Accordingly, the Convict Prisoner viz., Dinesh Kumar @ Deena, S/o. Rajendran, CT.No.6378, now confined in Central Prison – I, Puzhal, Chennai, is hereby granted ordinary leave for a period of 28 days,



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without escort commencing from 05.08.2024 on the following conditions.

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(i) Respondents are directed to release the Convict Prisoner viz., Dinesh Kumar @ Deena, S/o. Rajendran, on Ordinary Leave for a period of 28 days i.e., from 05.08.2024 to 01.09.2024.

(ii) The Convict Prisoner shall be released on 05.08.2024 at 10.00 am and surrender before the Superintendent of Prison, Central Prison – I, Puzhal, Chennai on 01.09.2024 at 05.30 p.m.

(iii) The Convict Prisoner is directed to report before the Inspector of Police, Tondiarpet Police Station, Chennai daily at 05.00 pm, and appear before the trial Court in C.C.No.624 of 2012 on the file of the XVI Metropolitan Magistrate Court, George Town, Chennai on all the hearing dates, 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.

8. Accordingly, the writ petition stands allowed.



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(M.S.R.,J.) (S.M.,J.)
01.08.2024

Note to Registry:

- 1.Issue order copy by 02.08.2024.**
 - 2.Upload the order copy forthwith.**
- dk*

To

- 1.The Secretary to Government,
Home Department,
Secretariat,
Chennai – 600 009.
- 2.The Deputy General of Police &
The Director General of Prisons,
Wannels Road, Egmore,
Chennai – 600 008.
- 3.The Superintendent of Prison,
Central Prison – I, Puzhal,
Chennai.
- 4.The Public Prosecutor,
High Court, Madras.

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

dk



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