



WEB COPY



W.P.No.19485 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.08.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

W.P.No.19485 of 2024

Akbar Shariff

... Petitioner/Father of the detenue

Vs.

1. The State Represented 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, to direct the respondents to grant emergency leave for 15 days without escort to the detenue, Asharf Shariff S/o Akbar Shariff aged about 32 years bearing Convict No.10568 confined at Central Prison, Puzhal.

For Petitioner : Ms.S.Sadhana

For Respondents : Mr.E.Raj Thilak,
Additional Public Prosecutor



W.P.No.19485 of 2024

ORDER

(Order of the Court was made by *S.M.SUBRAMANIAM, J.*)

WEB COPY

This petition has been filed seeking direction to the respondents to grant emergency leave for 15 days without escort to the detenue, Asharf Shariff S/o Akbar Shariff aged about 32 years bearing Convict No.10568 confined at Central Prison, Puzhal, who was convicted for the offences under Section 8(c) r/w 22(c) of NDPS Act and was sentenced to undergo 12 years Rigorous imprisonment in C.C.No.115 of 2019 dated 20.02.2024 on the file of the learned Principal Special Court under EC & NDPS Act, Chennai.

2. The learned counsel for the petitioner submitted that the petitioner's son/convict prisoner has undergone 05 years 06 months and 15 days of imprisonment, including the remand set off period and the petitioner seeks Emergency Leave for his son/convict prisoner to make arrangements for his wife medical expenses, as she is suffering from medical ailments and for the livelihood of their family.

3. At this juncture, learned Additional Public Prosecutor submitted that the convict prisoner herein is eligible to avail 15 days of Emergency Leave and the said leave is to be granted in four spells of 6+3+3+3 days.



W.P.No.19485 of 2024

4. Since the convict is eligible for 15 days Emergency Leave in four spells of 6+3+3+3 days under Rule 13 of the Tamil Nadu Suspension of Sentence Rules, 1982, we are inclined to consider the relief sought for in the present writ petition.

5. Accordingly, the convict prisoner viz., Ashraf Shariff S/o. Akbar Shariff, aged 32, bearing Convict No. 10568, confined at Central Prison, Puzhal Chennai, is hereby granted Emergency Leave for a period of 6 days, without escort commencing from **21.08.2024** on the following conditions.

(i) Respondents are directed to release the Convict Prisoner viz., Ashraf Shariff S/o. Akbar Shariff, aged 32, bearing Convict No.10568, lodged at Central Prison, Puzhal, Chennai on Emergency Leave for a period of **6 days** without escort commencing from **21.08.2024**.

(ii) The Convict Prisoner shall be released on 21.08.2024 at 10.00 a.m. and surrender before the Superintendent, Puzhal Central Prison - I, Chennai – 600 066, on 27.08.2024 at 10.00 a.m.

(iii) 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.



W.P.No.19485 of 2024

6. Accordingly, the writ petition stands **disposed of**. No Costs.

WEB COPY

[S.M.S., J.]

[V.S.G., J.]

16.08.2024

Index: Yes/No

Speaking/Non-speaking order

veda



W.P.No.19485 of 2024

To

1. The State Represented 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.



WEB COPY



W.P.No.19485 of 2024

S.M.SUBRAMANIAM, J.
AND
V.SIVAGNANAM, J.

veda

W.P.No.19485 of 2024

16.08.2024