



WEB COPY



W.P.No.20454 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2024

CORAM :
THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

W.P.No.20454 of 2024

Parameshwari

... Petitioner

Vs.

1. The Director General of Police,
Inspector General of Prisons and Correctional Service,
Whannels Road,
Egmore,
Chennai - 600 008.

2. The Superintendent of Prison,
Central Prison,
Salem.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents to grant 21 days ordinary leave without escort to the petitioner's husband namely Kani @ Kanivalavan S/o. Muthupayyan aged 42 years, Convict Prisoner, Central Prison, Salem.

For Petitioner : Ms.S.Nadhiya

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

ORDER



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

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This petition has been filed seeking a Writ of Mandamus to direct the respondents to grant 21 days ordinary leave without escort to the petitioner's husband, convict prisoner, namely Kani @ Kanivalavan S/o. Muthupayyan aged 42 years, confined at Central Prison, Salem.

2. The learned counsel for the petitioner submitted that the convict prisoner has undergone 01 years 09 months and 24 days of imprisonment and seeks 21 days ordinary leave to make arrangements for his son education and to make livelihood arrangements.

3. The Probation Officer, in his report, has stated that the reasons assigned by the petitioner for grant of leave is false and he has not recommended for grant of ordinary leave to the convict prisoner. However, the learned Additional Public Prosecutor would submit that the convict prisoner is eligible for 21 days of ordinary leave.

4. In view of the favourable submission of the learned Additional



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Public Prosecutor, we are inclined to grant ordinary leave to the convict prisoner herein.

5. Accordingly, the convict prisoner viz., Kani @ Kanivalavan S/o. Muthupayyan aged 42 years, confined at Central Prison, Salem, is hereby granted ordinary leave for a period of **21 days**, without escort commencing from **06.09.2024** on the following conditions.

(i) Respondents are directed to release the Convict Prisoner viz., Kani @ Kanivalavan S/o. Muthupayyan aged 42 years, confined at Central Prison, Salem, on Ordinary Leave for a period of **21 days** without escort commencing **i.e., from 06.09.2024 to 26.09.2024.**

(ii) The Convict Prisoner shall be released on **06.09.2024** at 10.00 am and surrender before the Superintendent, Central Prison, Salem on **26.09.2024** at 05.30 p.m.

(iii) The Convict Prisoner is directed to report before the Inspector of Police, Mettur Police Station, Salem District once in a week at 05.30 pm, during the period of leave.

(iv) The Convict Prisoner shall utilize the leave only for



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the ground on which it has been granted and shall not indulge
in any other activities.

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

[S.M.S., J.] [N.S., J.]
29.08.2024

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No
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- To
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Inspector General of Prisons and Correctional Service,
Whannels Road,
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Chennai - 600 008.
 2. The Superintendent of Prison,
Central Prison,
Salem.
 3. The Public Prosecutor,
Madras High Court,
Chennai - 104.



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S.M.SUBRAMANIAM, J.
AND
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Order in
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