



WEB COPY



W.P.No.22592 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.08.2024

CORAM :

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

W.P.No.22592 of 2024

P.Thenamma

... Petitioner

Vs.

1. The Home Secretary,
Home Department,
Secretariat, Fort St.George,
Chennai – 600 009.

2. Additional Director General of Police and
Inspector General of Prisons,
Whannels Road, Egmore,
Chennai 600 008.

3. The Superintendent of Prison,
Special Prison of Women – Puzhal,
Chennai District.

4. The Inspector of Police,
Thuraipakkam Police Station,
Chennai District.

... 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 petitioner's daughter/ Convict Prisoner Mrs.Jothi @ Nagajothi W/o.Chidambaram, now confined in



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Special Women Prison for the purpose of “to arrangements of the school fees of the petitioner's son and making necessary arrangements after her release” pursuant to the petitioner's representation dated 07.07.2024.

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

ORDER

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

This petition has been filed seeking a Writ of Mandamus to direct the respondents to grant ordinary leave for a period of 30 days without escort to the petitioner's daughter/ Convict Prisoner Mrs.Jothi @ Nagajothi W/o.Chidambaram, aged about 28 years, CT 950, confined at Special Prison of Women – Puzhal, who was convicted for the offences under Sections 8 (c) r/w 20 (b)(ii)(c) and 8 (c) r/w 29 (1) NDPS Act and was sentenced to undergo rigorous imprisonment for 10 years for each offence and to pay a fine of Rs.1,00,000/- for each offence in default to undergo rigorous imprisonment for six months for each offence.

2. The learned counsel for the petitioner submitted that the convict prisoner has undergone 4 years 6 months and 3 days of imprisonment, including the remand period and that he seeks for ordinary leave for the



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detenue.

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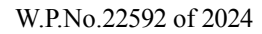
3. The Probation Officer, in his report, has stated that the reasons assigned by the petitioner for grant of leave is true and he has recommended for grant of ordinary leave to the convict prisoner.

4. 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 convict prisoner herein.

5. At this juncture, learned Additional Public Prosecutor submitted that the convict prisoner is eligible to avail only 21 days of ordinary leave.

6. Accordingly, the convict prisoner viz., Mrs.Jothi @ Nagajothi W/o.Chidambaram, aged about 28 years, CT 950, confined at Special Prison of Women – Puzhal, is hereby granted ordinary leave for a period of 21 days, without escort commencing from 29.08.2024 on the following conditions.

(i) Respondents are directed to release the Convict Prisoner viz., Mrs.Jothi @ Nagajothi W/o.Chidambaram, aged about 28 years, CT 950, confined at Special Prison of Women – Puzhal, on Ordinary Leave for a period of **21 days i.e., from 29.08.2024 to 18.09.2024.**



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To

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3. The Superintendent of Prison,
Special Prison of Women – Puzhal,
Chennai District.

4. The Inspector of Police,
Thuraipakkam Police Station,
Chennai District.

5. The Public Prosecutor,
High Court, Madras.



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

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