



WEB COPY



W.P.No.22202 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.22202 of 2024

Shanthi

... Petitioner/Sister 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, directing the respondents to grant emergency leave for 15 days without escort to the detenue, Suresh S/o. Ragavan aged about 39 years bearing Convict No. 10080 confined to Central Prison, Puzhal.

For Petitioner : Ms.S.Sadhana

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



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ORDER

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

This petition has been filed seeking a direction to the respondents to grant emergency leave for 15 days without escort to the detenue, Suresh S/o. Ragavan aged about 39 years bearing Convict No. 10080 confined at Central Prison, Puzhal, who was convicted for the Offence punishable under Sections 366 & 343 of IPC and under Section 6 of POCSO Act and sentenced to undergo Life Imprisonment in S.C.No.10 of 2022 dated 16.06.2023 on the file of the learned Sessions Judge at Mahila Court, Chennai.

2. The learned counsel for the petitioner submitted that the petitioner's brother/convict prisoner has undergone 02 years 06 months of imprisonment, including the remand set off period and the petitioner seeks Emergency Leave for her brother/convict prisoner to make arrangements for their mother's medical treatment and for the livelihood of their family.

3. It is also brought to the notice of this Court that the convict prisoner has not availed any leave so far.



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4. Considering, the nature of offence committed and the period of sentence undergone by the convict prisoner, we are inclined to grant Emergency Leave for a period of 6 days without escort, since the convict/prisoner is not eligible for ordinary leave.

5. Accordingly, the convict prisoner viz., Suresh S/o. Ragavan aged about 39 years bearing Convict No. 10080 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., Suresh S/o. Ragavan aged about 39 years bearing Convict No. 10080 confined at Central Prison, Puzhal 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.



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

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[S.M.S., J.]

[V.S.G., J.]

16.08.2024

Index: Yes/No

Speaking/Non-speaking order
veda

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 Public Prosecutor,
Madras High Court,
Chennai - 104.



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V.SIVAGNANAM, J.

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