



WEB COPY



W.P.No.22528 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.22528 of 2024

Rajammal

... Petitioner

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 – 1,
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 ordinary leave for 30 days without escort to the detainee, Subramani S/o.Munusamy aged about 43 years bearing Convict No.8324 confined at 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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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 detainee, Subramani, S/o.Munusamy, aged about 43 years, bearing Convict No.8324, confined at Central Prison, Puzhal, who was convicted for the offences under Section 302 r/w 34 IPC and was sentenced to undergo imprisonment for life and to pay a fine of Rs.5,000/-.

2. The learned counsel for the petitioner submitted that the petitioner's father/convict prisoner has undergone 04 years 02 months and 19 days of imprisonment, including the remand period and that he seeks for ordinary leave for the detainee.

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

4. That being so, we are inclined to invoke our powers under Article 226 of the Constitution of India, thereby granting required leave to the convict prisoner herein.



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5. Accordingly, the convict prisoner viz., Subramani S/o.Munusamy aged about 43 years, Convict Prisoner, Convict No.8324 confined at Central Prison, 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., Subramani, S/o.Munusamy, aged about 43 years, on Ordinary Leave for a period of **21 days i.e., from 29.08.2024 to 18.09.2024.**

(ii) The Convict Prisoner shall be released on 29.08.2024 at 10.00 am and surrender before the Superintendent of Prison, Central Prison – 1, Puzhal, on 18.09.2024 at 05.30 p.m.

(iii) The Convict Prisoner is directed to report before the Inspector of Police, P3 Vyasarpadi Police Station, once in a week at 05.30 pm, 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.

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

[S.M.S., J.]

[V.S.G., J.]

20.08.2024

Index: Yes/No

Speaking/Non-speaking order

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

sli

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 – 1,
Puzhal - 600 066.

3.The Public Prosecutor,
High Court, Madras.

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