



WEB COPY



W.P.No.23130 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.08.2024

CORAM :

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

W.P.No.23130 of 2024

Basheera

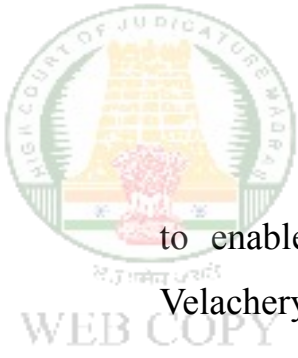
... Petitioner/Wife of the detenue

Vs.

1. The Principal Secretary to Government,
Home (Prison) Department,
Tamil Nadu Government Secretariat,
St.George Fort,
Chennai - 600 009.
2. The Additional D.G.P/I.G. of Prisons,
CMDA Towers II,
No.1, Gandhi Irwin Road,
Egmore, Chennai - 600 008.
3. The Superintendent of Prison,
Central Prison, Puzhal I,
Chennai - 66.
4. The Inspector of Police,
H6, R.K.Nagar Police Station,
Chennai.

... 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 extend the detenue emergency parole prior by another 8 weeks from 12.08.2024



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to enable him to undergo treatment in I Care Cancer Clinic Hospital at Velachery and also for further follow of treatment.

For Petitioner : Mr.S.Senthilvel
for Mr.V.Kartick

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 direction to the respondents to extend the detenue emergency parole prior by another 8 weeks from 12.08.2024, to enable him to undergo treatment in I Care Cancer Clinic Hospital at Velachery.

2. The learned counsel for the petitioner would submit that the detenue is suffering from cancer and taking continuous treatment and now his family members have decided to provide treatment at Adyar Cancer Institute.

3. In order to ascertain the truth, we have requested the learned Additional Public Prosecutor to secure medical certificates from the Medical Officer, Central Prison - I, Puzhal, Chennai. The medical certificate dated 21.08.2024



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reveals the following facts:

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"This is to bring to your kind notice that CT-4752, Mani @ Manirathnam S/o. Sundar, a known case of Gingivobuccal Sulcus Carcinoma, has completed 16 cycles of Palliative Radiotherapy and 02 cycles of Chemotherapy (Cisplatin and 5 Fluorouracil). Next cycle of Chemotherapy is fixed on 28.08.2024.

The patient is getting Opioid Analgesics from pain clinic."

4. In view of the Medical Report and considering the fact that the detainee has decided to take treatment at Adyar Cancer Institute, we are inclined to extend the ordinary leave without escort for a further period of six (6) weeks commencing from 23.08.2024.

5. Accordingly, the convict prisoner viz., Mani @ Manirathnam, (CP.No.4752) S/o. Sundar, male aged 35 years, confined at Central Prison, Puzhal-I, Chennai is hereby extended ordinary leave for a further period of six (6) weeks without escort commencing from **23.08.2024** on the following conditions.

(i) Respondents are directed to release the Convict Prisoner viz., Mani @ Manirathnam, (CP.No.4752) S/o. Sundar, male aged 35 years, confined at Central Prison, Puzhal-



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I, Chennai on Ordinary Leave for a period of **06 weeks** without escort commencing from **23.08.2024**.

(ii) The Convict Prisoner shall be released on 23.08.2024 at 10.00 a.m. and surrender before the Superintendent, Central Prison, Puzhal - I, Chennai - 600 066 on **03.10.2024 at 05.30 p.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.

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

[S.M.S., J.]

[V.S.G., J.]

21.08.2024

Index: Yes/No

Speaking/Non-speaking order

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Note to Registry:

1. Issue order copy today i.e. on 21.08.2024.

2. Upload the order copy forthwith.

To



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1. The Joint Secretary to Government,
Public (Law and Order) Department,
Fort St.George,
Chennai -9.
2. The Principal Secretary to Government,
Home (Prison) Department,
Tamil Nadu Government Secretariat,
St.George Fort,
Chennai - 600 009.
3. The Additional D.G.P/I.G. of Prisons,
CMDA Towers II,
No.1, Gandhi Irwin Road,
Egmore, Chennai - 600 008.
4. The Superintendent of Prison,
Central Prison, Puzhal I,
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5. The Inspector of Police,
H6, R.K.Nagar Police Station,
Chennai.
6. The Public Prosecutor,
Madras High Court,
Chennai - 104.



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

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