



WEB COPY



W.P.No.23988 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.23988 of 2024

Vinoth

... Petitioner

Vs.

1.The State rep. by its
Deputy Inspector General of Prison,
Gandhi Irwin Road, Egmore,
Chennai-600 0008.

2. The Superintendent,
Puzhal Central Prison,
Puzhal-600 066.

... Respondents

Prayer :- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to grant ordinary leave for 30 days without escort to the detenue, Dhatchinamurthy S/o.Raji aged about 54 years bearing Convict No.8198 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 seeking direction to the respondents to grant ordinary leave for 30 days without escort to the detinue, Dhatchinamurthy S/o.Raji, aged about 54 years, bearing Convict No.8198, confined at Central Prison, Puzhal. The convict prisoner is convicted for the offence under Section 6 of POCSO Act, 1976, in S.C.No.162 of 2018, on the file of learned Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Chennai, and sentenced to undergo 10 years of imprisonment.

2. The learned counsel for the petitioner submitted that the petitioner's father / convict prisoner has undergone imprisonment for a period of about 4 years and that he seeks ordinary leave for the petitioner's father to make arrangements for the livelihood of his family and for the settlement of his life after release and also to participate in the marriage of his son/petitioner.



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3. At this juncture, the learned Additional Public Prosecutor Mr.E.Raj Thilak would submit that the convict prisoner is eligible for 21 days ordinary leave.

4. Considering the fact that the convict prisoner is eligible to avail ordinary leave for a period of 21 days, this Court is inclined to grant 21 days Ordinary Leave to the convict prisoner.

5. Accordingly, the convict prisoner viz., Dhatchinamurthy S/o.Raji, aged about 54 years, bearing Convict No.8198, confined at Central Prison, Puzhal, is hereby granted Ordinary Leave without escort for a period of 21 days commencing from **02.09.2024** on the following conditions.

(i) Respondents are directed to release the Convict Prisoner viz., Dhatchinamurthy S/o.Raji, aged about 54 years, bearing Convict No.8198, confined at Central Prison, Puzhal, on Ordinary Leave without escort for a period of 21 days commencing from **02.09.2024**.

(ii) The Convict Prisoner shall be released on 02.09.2024 at 10.00 a.m. and surrender before the Superintendent, Central Prison, Puzhal, on 23.09.2024 at 05.30 p.m.



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(iii) The Convict Prisoner is directed to report before the R.11. Ramapuram Police Station, once in a week at 10.00 a.m. 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.,)

(N.S.J.,)

29.08.2024

Index : Yes/No

Speaking order/Non-Speaking order

Neutral Citation : Yes/No

(sha)



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3.Public Prosecutor,
High Court of Madras.



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S.M.SUBRAMANIAM, J.

and

N.SENTHILKUMAR, J.

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