



WEB COPY



W.P.No.25560 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.08.2024

CORAM :

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

W.P.No.25560 of 2024

K.Thamarai Valli

... 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,
Cuddalore Central Prison,
Cuddalore District.
4. The Inspector of Police,
E-4, Abiramapuram 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 20 days ordinary leave without escort to petitioner husband convict prisoner Mr.Karuna S/o. Govindarajan CT-16206 now confined in Cuddalore



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Central Prison, for the purpose of 'to perform the 16th days rituals and making arrangements of the said programs". In pursuant to petitioner representation dated on 20.08.2024 and pass such other orders.

For Petitioner : Mr.P.Muthamizh Selvakumar

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

ORDER

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

The writ petition has been filed seeking a direction to the respondents to grant 20 days ordinary leave without escort to the petitioner's husband, convict prisoner viz., Mr.Karuna S/o. Govindarajan, CT-16206, now confined in Cuddalore Central Prison, to perform 16th day rituals and making arrangements for the said program, in pursuant to the petitioner representation dated 20.08.2024.

2. The learned counsel for the petitioner submitted that the petitioner/wife of the convict prisoner seeks 20 days ordinary leave to perform 16th day ceremony of the death of the father of the convict prisoner.



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3. Since the petitioner has approached the Court at the last moment, the learned Additional Public Prosecutor is unable to secure instructions from the Authorities.

4. However, the learned Counsel for the petitioner states that the 16th day ceremony of the death of the father of the convict is fixed on 01.09.2024.

5. Taking note of the said fact, we are inclined to grant 06 (six) days Emergency Leave without escort to the convict prisoner commencing from **31.08.2024**.

6. Accordingly, the convict prisoner viz., Karuna S/o. Govindarajan, CT-16206, now confined at Cuddalore Central Prison is hereby granted Emergency Leave for a period of 06 days, without escort commencing from **31.08.2024** on the following conditions.

i) Respondents are directed to release the Convict Prisoner viz., Karuna S/o. Govindarajan, CT-16206, now confined at Cuddalore Central Prison on Emergency Leave without escort for a period of 06 days i.e., from 31.08.2024 to 05.09.2024.

(ii) The Convict Prisoner shall be released on 31.08.2024 at 10.00 am and surrender before the Superintendent of Prison,



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Central Prison, Cuddalore on 05.09.2024 at 05.30 p.m.

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(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.

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

[S.M.S., J.]

[V.S.G., J.]

30.08.2024

Index: Yes/No

Speaking/Non-speaking order

veda

Note: Issue Order Copy today i.e., on 30.08.2024.



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To

1. The Home Secretary,
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Secretariat, Fort St.George,
Chennai – 600 009.
2. Additional Director General of Police and
Inspector General of Prisons,
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Chennai – 600 008.
3. The Superintendent of Prison,
Cuddalore Central Prison,
Cuddalore District.
4. The Inspector of Police,
E-4, Abiramapuram Police Station,
Chennai District.
5. The Joint Secretary to Government,
Public (Law and Order) Department,
Fort St.George, Chennai - 9.
6. The Public Prosecutor,
Madras High Court,
Chennai - 104.



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