



WEB COPY



W.P.No.26694 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2024

CORAM :

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

W.P.No.26694 of 2024

Suriya

... Petitioner/Wife 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 6 days without escort to the detenu,, Kothandan S/o. Rangasamy aged about 37 years bearing Convict No. 9057 confined at Central Prison, Puzhal.

For Petitioner : Ms.S.Sadhana

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



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ORDER

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

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This petition has been filed seeking a direction to the respondents to grant emergency leave for 6 days without escort to the detenu, Kothandan S/o. Rangasamy aged about 37 years bearing Convict No. 9057 confined at Central Prison, Puzhal, who was convicted for the Offence punishable under Section 302 of IPC and sentenced to undergo Life Imprisonment in S.C.No.120 of 2015 on the file of the learned Additional Sessions Court, Kancheepuram.

2. Mr.E.Raj Thilak, the learned Additional Public Prosecutor would submit that the leave application submitted seeking Emergency Leave was rejected on the ground that the reasons sated in the application is not falling under Rule 6 of the Tamil Nadu Suspension of Sentence Rules, 1982.

3. Ms.S.Sadhana, the learned counsel for the petitioner would submit that the convict prisoner is the brother of the bride and he has to perform ceremonies during the marriage function. The marriage invitation has been enclosed by the petitioner along with the typed set filed in the present writ petition.

4. Considering the fact that the convict prisoner has to attend the



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marriage function of his paternal father's daughter, we are inclined to consider the leave application for grant of Emergency Leave for a period of 3 days.

5. Accordingly, the convict prisoner viz., Kothandan S/o. Rangasamy aged 37 years, bearing Convict No.9057, confined at Central Prison, Puzhal, Chennai is hereby granted Emergency Leave for a period of 3 days, without escort commencing from **15.09.2024** on the following conditions.

(i) Respondents are directed to release the Kothandan S/o. Rangasamy aged 37 years, bearing Convict No.9057, confined at Central Prison, Puzhal, Chennai on Emergency Leave for a period of **3 days** without escort commencing from **15.09.2024**.

(ii) The Convict Prisoner shall be released on 15.09.2024 at 10.00 a.m. and surrender before the Superintendent, Puzhal Central Prison – I, Chennai – 600 066, on 18.09.2024 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.



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[S.M.S., J.]

[V.S.G., J.]

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Index: Yes/No

Speaking/Non-speaking order
veda

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 – I,
Puzhal – 600 066.
3. The Public Prosecutor,
Madras High Court,
Chennai - 104.



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AND
V.SIVAGNANAM, J.

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