



W.P.No.25838 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.10.2024

CORAM :

THE HON'BLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE V.SIVAGNANAM

W.P.No.25838 of 2024

Vasanthi
W/o Rathinasami .. Petitioner

v.

The State represented by its
1. The Deputy Inspector General of Prison
Coimbatore Zone
Coimbatore 641 018

2. The Superintendent
Coimbatore Central Prison
Coimbatore 641 018 .. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order bearing No.15713/Tha.Ku3/2024 dated 22.08.2024 passed by the 2nd respondent and quash the same and consecutively direct the 1st respondent to grant ordinary leave for 30 days without escort to the detenu, Navaneethakrishnan, S/o Rathinasami aged about 35 years, bearing Convict No.16412 at Central Prison, Coimbatore.

For Petitioner :: Mr.P.Bakiyaraj



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

ORDER

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

The convict prisoner completed imprisonment of 8 years and 6 months. The leave application submitted by the petitioner was rejected on the ground that the prisoner has not completed one year from the date of availing previous leave from 28.08.2023 to 18.09.2023. During the pendency of the present petition, the prisoner had completed one year of imprisonment from the date of availing previous leave.

2. The learned Additional Public Prosecutor would submit that as on today, the prisoner has completed 8 years and 6 months including the one year of imprisonment from the date of availing previous case and therefore he is eligible to avail 21 days of ordinary leave as per rules.

3. Considering the fact that there is no adverse remarks about the conduct of the prisoner in the prison and also the period of imprisonment



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undergone by the prisoner, we are inclined to pass the following order:-

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- (i) The impugned order passed by the 2nd respondent dated 22.08.2024 is quashed.
- (ii) The prisoner, Mr.Navaneethakrishnan, S/o Mr.Rathinasami, aged 35 years, Convict No.16412, who is confined in Central Prison, Coimbatore is granted 21 days ordinary leave without escort.
- (iii) The leave shall commence from 08.10.2024 10.30 a.m., and the prisoner shall surrender before the second respondent by 5.30 p.m., on 28.10.2024.
- (iv) The prisoner shall appear before the Mangalam Police Station, Tiruppur District on every Monday at 10.30 a.m., during the period of leave.

The writ petition is allowed on the above terms. Consequently, W.M.P.No.28208 of 2024 stands closed. No costs.

Index : yes
Neutral citation : yes/no

(S.M.S.,J.) (V.S.G.,J.)
03.10.2024

SS

To

1. The Deputy Inspector General of Prison
Coimbatore Zone
Coimbatore 641 018



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2. The Superintendent
Coimbatore Central Prison
Coimbatore 641 018

3. The Public Prosecutor
High Court, Madras



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S.M.SUBRAMANIAM,J.

AND

V.SIVAGNANAM,J.

SS

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