



WEB COPY

W.P.No.27739 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2024

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MRS.JUSTICE N.MALA

W.P.No.27739 of 2024

and

W.M.P.No.30251 of 2024

Thangakumar @ Aravind

... Petitioner

Vs.

1.The Deputy Inspector General of Prisons,
Chennai Range,
Prison Head Quarters,
Whannels Road,
Egmore, Chennai – 600 008.

2.The Superintendent of Prisons,
Central Prison-1,
Puzhal, Chennai – 600 066.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records in the order date on 29.08.2024 bearing CP-PU 1/2189/2024-R2 passed by respondent no.2 and quashing the same, and directing the respondent no.2 to



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grant 15 days emergency leave to the petitioner namely Thanaga kumar S/o.Swaminathan aged 38 years, convict No.9069, Convict Prisoner, Central prison,Puzhal.

For Petitioner : Ms.S.Nadhiya

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

ORDER

[Order of the Court was made by **S.M.SUBRAMANIAM, J.**]

The Writ of Mandamus has been instituted to direct the respondents to grant emergency leave for 15 days to the detenu Thanaga kumar S/o.Swaminathan aged 38 years bearing Convict No.9069 confined at Central Prison, Puzhal, Chennai.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3. The petitioner submitted an application seeking Emergency Leave on the ground that the mother of the prisoner aged about 68 years is seriously



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ill and admitted in hospital and undergoing treatment. Thus, the prisoner has to take care of his mother as she is in need of the assistance of her son / prisoner.

4. Considering the fact that the presence of the convict prisoner for providing treatment to his mother is required, we are inclined to permit the petitioner / convict prisoner i.e., Thanga Kumar S/o. Swaminathan aged about 38 years bearing CT No.9069, confined at Central Prison, Puzhal, Chennai, to avail Emergency Leave for a period of six (6) days without escort, on the following conditions:

- (1) The respondents are directed to release the Convict Prisoner viz., Thanga Kumar S/o. Swaminathan aged about 38 years bearing CT No.9069, confined at Central Prison, Puzhal, Chennai, on Emergency Leave for a period of six (6) days without escort i.e., from 25.09.2024 to 30.09.2024.
- (2) The Convict Prisoner shall be released on 25.09.2024 at 10.00 A.M. and surrender before the Superintendent of Prisons, Central Prison-I, Puzhal, Chennai, on 30.09.2024 at 05.00 P.M.
- (3) During the leave period, the Convict Prisoner shall abide by all the conditions prescribed in the Jail Manual.



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(4) 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.

5. With the above directions, this Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition stands closed.

[S.M.S., J.] [N.M., J.]
19.09.2024

Jeni
Index : Yes
Neutral Citation : Yes
Speaking order / Non-speaking order

To

1. The Deputy Inspector General of Prisons,
Chennai Range,
Prison Head Quarters,
Whannels Road,
Egmore, Chennai – 600 008.

2. The Superintendent of Prisons,
Central Prison-1,
Puzhal, Chennai – 600 066.

3. The Public Prosecutor,
High Court, Madras.



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S.M.SUBRAMANIAM, J.
and
N.MALA, J.

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