



WEB COPY



W.P.No.27941 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.10.2024

CORAM :

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

W.P.No.27941 of 2024
and W.M.P.No.30485 of 2024

Nadhiya

... Petitioner

Vs.

1.The Director General of Police
Inspector General of prisons and Correctional service,
Whannels Road,
Egmore,
Chennai – 600 008.

2.The Superintendent of Prison,
Central Prison,
Coimbatore.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, calling for the records in the order dated 06.09.2024 bearing No.CP-CBE/1615/2024-R3 and quashing the same and directing the respondents to grant 15 days emergency leave enabling the petitioner's husband namely Jayasurya S/o Dhanapal aged 30 years, Convict No.21141, Convict Prisoner, Central Prison, Coimbatore.



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For Petitioner : Mrs.S.Nadhiya
For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

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

The order of rejection of emergency leave application issued in Convict No.21141 dated 06.09.2024 by the Superintendent of Prison, Central Prison, Coimbatore, is sought to be assailed in the present Writ Petition.

2. The learned Additional Public Prosecutor brought to the notice of this Court that the prisoner has not surrendered after filing Emergency Leave Petition. First Information Report has been registered in First Information Report No.227 of 2024 under Section 262 BNS Act. The respondent Police has to investigate and arrest the prisoner as expeditiously as possible. Emergency leave petition was granted by way of interim order. Since, the prisoner failed to surrender before the judicial authorities and criminal case has been registered, no further consideration is required in respect of the petition filed consequently. No further order is required.



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3. Accordingly, the Writ Petition stands dismissed. No Costs.

Consequently, the connected Miscellaneous Petition is closed.

[S.M.S., J.]

[V.S.G., J.]

15.10.2024

Index: Yes/No

Speaking/Non-speaking order

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S.M.SUBRAMANIAM, J.
AND
V.SIVAGNANAM, J.

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To

- 1.The Director General of Police
Inspector General of prisons and Correctional service,
Whannels Road,
Egmore,
Chennai – 600 008.
- 2.The Superintendent of Prison,
Central Prison,
Coimbatore.
3. The Public Prosecutor
High Court of Madras.

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