



WEB COPY

W.P.No.27953 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.27953 of 2024

Tmt. Sangeetha

... Petitioner

Vs.

1.The Director General of Police,
Inspector General of Police,
Prisons and Correctional Service,
Egmore, Chennai – 600 008.

2.The State represented by
The Superintendent of Police,
Central Prison,
Coimbatore.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 2nd respondent to call for the records of impugned rejection order dated 10.09.2024 issued by the 2nd respondent and quash the same and consequently direct the respondent to grant emergency leave for one week to the petitioner's husband named Manikandan S/o Thiruvengadam, convict prisoner – CT No.24421, Central



W.P.No.27953 of 2024

Prison, Coimbatore.

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For Petitioner : Ms.M.Kiruthika
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 one week to the detenu Manikandan S/o Thiruvengadam bearing CT No.24421 confined at Central Prison, Coimbatore.

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 for one week on the ground that the mother of the prisoner is seriously ill and the prisoner has to take care of his mother as she is in need of the assistance of her son / prisoner.



W.P.No.27953 of 2024

WEB COPY

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's husband / convict prisoner i.e., Manikandan S/o Thiruvengadam bearing CT No.24421 confined at Central Prison, Coimbatore, 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., Manikandan S/o Thiruvengadam bearing CT No.24421 confined at Central Prison, Coimbatore, on Emergency Leave for a period of six (6) days without escort i.e., from 20.09.2024 to 25.09.2024.
- (2) The Convict Prisoner shall be released on 20.09.2024 at 10.00 A.M. and surrender before the Superintendent of Prisons, Central Prison, Coimbatore, on 25.09.2024 at 05.00 P.M.
- (3) During the leave period, the Convict Prisoner shall abide by all the conditions prescribed in the Jail Manual.
- (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.



WEB COPY



W.P.No.27953 of 2024



W.P.No.27953 of 2024

5. With the above directions, this Writ Petition stands disposed of. No costs.

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

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

To

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



WEB COPY



W.P.No.27953 of 2024

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

Jeni

W.P.No.27953 of 2024

19.09.2024