



WEB COPY



W.P.No.29368 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2024

CORAM :

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

W.P.No.29368 of 2024

M.Manokaran

... 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 -I,
Puzhal, Chennai- 600 066

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, to call for the records in the order dated 25.07.2024 bearing no.CP-PU1/1804/2024-R2 passed by the respondent no.2 and quashing the same and directing the respondents to grant ordinary leave for 28 days to the petitioner, namely, Manokaran, S/o. Mayazhagu, aged 38 years, Convict Prisoner, Convict No.10049, Central Prison, Puzhal.

For Petitioner : Mrs. S.Nadhiya

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

ORDER



W.P.No.29368 of 2024

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

The order of rejection of leave application passed by the Superintendent of Prison, Central Prison-I, Puzhal, dated 25.07.2024 is sought to be quashed in the present writ petition.

2. The reason stated in the order impugned is that the convict prisoner has been convicted under NDPS Act.

3. It is not in dispute that the convict prisoner is in actual imprisonment for 2 years 9 months.

4. No adverse conduct is noticed by the prison authorities inside the prison against the convict prisoner. The Probation Officer, in his report, recommended for grant of leave to the convict prisoner. The benefit of original leave has not been availed by the petitioner on earlier occasions.

5. Considering the facts and circumstances and noting the reasons stated in the affidavit filed in support of the writ petition, the impugned order dated 25.07.2024 passed by the 2nd respondent is quashed and convict prisoner viz., Manokaran S/o. Mayazhagu, aged 38 years, convict no.10049, now confined at Central Prison-I, Puzhal, is hereby granted ordinary leave for a period of 15 days, without escort commencing from **30.10.2024** on the following conditions:-

(i) Respondents are directed to release the Convict



W.P.No.29368 of 2024

Prisoner viz., Manokaran S/o. Mayazhagu, convict no.10049, now confined at Central Prison-I, Puzhal, Chennai on Ordinary Leave for a period of 15 days i.e., from 30.10.2024 to 13.11.2024.

(ii) The Convict Prisoner shall be released on 30.10.2024 at 10.00 am and surrender before the Central Prison-I, Puzhal, Chennai on 13.11.2024 at 10.00 a.m.

(iii) The Convict Prisoner is directed to report before the Inspector of Police, D3, Koodai Pudur Police Station, Naduvai District, twice in a week, i.e., on Monday and Friday at 10.30a.m., during the period of leave.

(iv) 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 allowed. No Costs.

List the matter on 18.11.2024 for reporting compliance.

[S.M.S., J.]

[V.S.G., J.]

25.10.2024

Index: Yes/No

1/2

Speaking/Non-speaking order

mrp

S.M.SUBRAMANIAM, J.



WEB COPY



W.P.No.29368 of 2024

AND
V.SIVAGNANAM, J.

mrp

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

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1/2

25.10.2024