



WEB COPY



W.P.No.28706 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2024

CORAM :

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

W.P.No.28706 of 2024

Amaravathy

... Petitioner

Vs.

1.The State represented by its,
The Deputy Inspector General of Prison,
Gandhi Irwin Road,
Egmore, Chennai – 600 008.

2.The Superintendent,
Puzhal Central Prison,
Puzhal- 600 066.

... 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 connected with impugned order date on 25.07.2024 passed by the second respondent and quash the same directing the respondents to grant emergency leave for 15 days without escort to the detenue, Selvam S/o. Duraikannu aged about 57 years bearing Convict No.2627 confined at Central Prison, Puzhal.

For Petitioner : M/s.S.Sadhana

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



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ORDER

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

The order of rejection of emergency leave application issued in Convict No.2627 dated 25.07.2024 by the Superintendent of Prisons, Central Prison, Puzhal, is sought to be assailed in the present Writ Petition.

2. The learned counsel for the petitioner submitted leave application for grant of emergency leave on the ground that the wife of the prisoner has to undergo some treatment. The application was rejected mainly on the ground that fifteen days emergency leave cannot be granted as per the rules. However, the prisoner is eligible for six days emergency leave. There is no adverse remarks against the prisoner inside the prison. That being so, we are inclined to consider the petition.

3. In view of the said position, convict prisoner is granted 6 days emergency leave to attend his sick wife from **15.10.2024 till 20.10.2024.**

4. Accordingly, the convict prisoner viz., Selvam S/o.Duraikannu aged 57 years Convict Prisoner, Convict No.2627, Central Prison, Puzhal, is



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hereby granted emergency leave for a period of **6 days**, without escort commencing from **15.10.2024** on the following conditions.

(i) Respondents are directed to release the Convict Prisoner viz., Selvam, S/o.Duraikannu, aged 57 years Convict Prisoner, Convict No.2627, Central Prison, Puzhal on emergency Leave for a period of **6 days i.e., from 15.10.2024 till 20.10.2024**.

(ii) The Convict Prisoner shall be released on **15.10.2024** at 10.00 am and surrender before the Superintendent, Central Prison, Puzhal, on **20.10.2024** at 05.30 p.m.

(iii) 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. Accordingly, the writ petition stands disposed of. No Costs. Consequently, the connected Miscellaneous Petition is closed.

[S.M.S., J.]

[V.S.G., J.]

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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 Deputy Inspector General of Prison,
Gandhi Irwin Road,
Egmore, Chennai – 600 008.
- 2.The Superintendent,
Puzhal Central Prison,
Puzhal- 600 066.
3. The Public Prosecutor
High Court of Madras.

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($\frac{1}{2}$)