



WEB COPY



W.P.No.28981 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.09.2024

CORAM :

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

W.P.No.28981 of 2024

Kayalvizhi

... Petitioner

*Vs.*

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

2.The Superintendent of Prisons,  
Central Prison,  
Coimbatore- 18.

... 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 date on 22.08.2024 bearing No.15715/tha.ku3/2024 passed by the 2<sup>nd</sup> respondent and quashing the same and directing the respondents to grant 15 days emergency leave for petitioner's husband namely Prakash, S/o.Krishnapandiyan, aged 36 years Convict Prisoner, Convict No.24559, Central Prison, Coimbatore.

For Petitioner : Ms.S.Nadhiya

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



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## **ORDER**

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

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The order of rejection of leave application by the Superintendent of Prisons, Central Prison, Coimbatore is sought to be quashed in the present petition.

2. The respondent rejected the leave application on the ground that the prisoner is not eligible to avail ordinary leave under the Rules. However, there is no dispute that the prisoner is eligible to avail emergency leave since the reason stated in the leave application is that his wife has to undergo treatment. 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 **06.10.2024 till 11.10.2024**.

4. Accordingly, the convict prisoner viz., Prakash, S/o.Krishnapandian, aged 36 years Convict Prisoner, Convict No.24559, Central Prison, Coimbatore, is hereby granted emergency leave for a period of **6 days**, without escort commencing from **06.10.2024** on the following conditions.



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(i) Respondents are directed to release the Convict Prisoner viz., Prakash, S/o.Krishnapandiyan, aged 36 years Convict Prisoner, Convict No.24559, Central Prison, Coimbatore on emergency Leave for a period of **6 days i.e., from 06.10.2024 till 11.10.2024.**

(ii) The Convict Prisoner shall be released on **06.10.2024** at 10.00 am and surrender before the Superintendent, Central Prison, Coimbatore, on **11.10.2024** 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.

7. Accordingly, the writ petition stands disposed of. No Costs.

Consequently, the connected Miscellaneous Petition is closed.

[S.M.S., J.]

[V.S.G., J.]

**30.09.2024**

Index: Yes/No

Speaking/Non-speaking order

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

*gd*

To

- 1.The Deputy Inspector General of Prisons,  
Whannels Road,  
Egmore, Chennai – 600 008.
- 2.The Superintendent of Prisons,  
Central Prison,  
Coimbatore- 18.
3. The Public Prosecutor  
High Court of Madras.

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