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W.P.No.30542 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

W.P.No.30542 of 2024

Mrs.Nagammal

... Petitioner

Vs.

1.State Represented by
The Chief Superintendent of Jails,
Puducherry.

2.State Represented by
The Inspector of Police,
Mudaliarpot Police Station,
Pondicherry.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the 1st respondent to grant parole for 30 days without escort to the petitioner's son Mr.Sankar @ Jaisankar, son of Mr.Mani, bearing Convict / Prisoner No.3135, confined at Central Jail, Kalapet, Puducherry.



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For Petitioner : Mr.T.Mathi
For Respondents : Mr.C.V.Rama Chandramurthy
Additional Public Prosecutor
[Puducherry]

ORDER

[Order of the Court is made by **S.M.SUBRAMANIAM, J.**]

The writ petition has been filed to direct the 1st respondent to grant parole for 30 days without escort to the petitioner's son Mr.Sankar @ Jaisankar, son of Mr.Mani, bearing Convict Prisoner No.3135, confined at Central Jail, Kalapet, Puducherry.

2. The learned counsel for the petitioner would submit that the petitioner's son Mr.Sankar @ Jaisankar convicted on 31.01.2008 and sentenced to undergo life imprisonment in S.C.No.57 of 2004. He is under actual imprisonment for about 16 years. However, the prisoner's daughter engagement function is going to be held on 21.10.2024 at Mahal namely 'Grand Sapphire' located at No.95, Point Care Street, Nellithope, Puducherry. Hence, the petitioner filed the present petition to grant ordinary leave.



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3. We have directed the learned Additional Public Prosecutor, Puducherry to verify the genuinity of the reasons stated by the petitioner.

However, the learned Additional Public Prosecutor, Puducherry filed a report stating that the marriage engagement function between Ms.Monica D/o. V.M.Sankar / convict prisoner and Mr.Satish S/o. V.Nagarajan is fixed on 21.10.2024 at Grand Sapphire Mahal, Puducherry.

4. Since the leave application submitted by the petitioner is found to be correct, we are inclined to permit the petitioner to avail 21 days Ordinary Leave on the following conditions;

(1)The respondents are directed to release the Convict Prisoner viz., Mr.Sankar @ Jaisankar, S/o.Mani, Convict Prisoner No.3135, confined at Central Jail, Kalapet, Puducherry, on Ordinary Leave for a period of Twenty (21) days without escort i.e., from 19.10.2024 to 08.11.2024.

(2)The Convict Prisoner shall be released on 19.10.2024 at 10.30 A.M. and surrender before the Superintendent of Jails, Central Prison, Kalapet, Puducherry on 08.11.2024 at 05.30 P.M.

(3)The Convict Prisoner is directed to report before the Inspector of Police, Mudaliarpet Police Station, Puducherry, once in a week i.e.,



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on every Monday at 05.00 P.M, during the period of leave.

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(4) During the leave period, the Convict Prisoner shall abide by all the conditions prescribed in the Jail Manual.

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

[S.M.S., J.] [V.S.G., J.]
18.10.2024

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

Jeni

Note: Registry is directed to issued order copy on 19.10.2024.



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To

- 1.The Chief Superintendent of Jails,
State,
Puducherry.
- 2.The Inspector of Police,
State,
Mudaliarpur Police Station,
Pondicherry.
- 3.The Additional Public Prosecutor,
Puducherry,
Madras High Court.



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