



WEB COPY



W.P.No.29812 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.10.2024

CORAM :

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

W.P.No.29812 of 2024

Lalitha

... 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 -I,
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, to call for the records connected with impugned order dated 29.08.2024 passed by the second respondent and quash the same directing the respondents to grant emergency leave for 15 days without escort to the detainee, Raja S/o.Kalimuthu aged about 33 years bearing Convict No.9972 confined at Central Prison, Puzhal.

For Petitioner : Ms.S.Sadhana

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 Writ Petition on hand has been instituted to call for records in impugned order dated 29.08.2024 passed by the second respondent and quash the same directing the respondents to grant emergency leave for 15 days without escort to the detenue, Raja S/o.Kalimuthu aged about 33 years bearing Convict No.9972 confined at Central Prison, Puzhal.

2. The order of rejection impugned in the present Writ Proceedings would reveal that representation given by the prisoner seeking emergency leave of 15 days was rejected on the ground that, the prisoner is not entitled to avail emergency leave for 15 days continuously. However, it is not in dispute that the prisoner is eligible to avail emergency leave as per Rules. There is no adverse remarks noticed against the petitioner. Therefore, we are inclined to quash the impugned order dated 29.08.2024 and grant 6 days emergency leave to the prisoner commencing from 21.10.2024 to 26.10.2024.

3. In view of the said position, convict prisoner is granted 6 days emergency leave to attend his sick mother from 21.10.2024 to 26.10.2024 at 05.30 p.m.



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4. Accordingly, the convict prisoner viz., Raja S/o.Kalimuthu aged about 33 years bearing Convict No.9972 confined at Central Prison, Puzhal, is hereby granted emergency leave for a period of **6 days**, without escort commencing from **21.10.2024** on the following conditions.

(i) Respondents are directed to release the Convict Prisoner viz., Raja S/o.Kalimuthu aged about 33 years bearing Convict No.9972 confined at Central Prison, Puzhal on emergency Leave for a period of **6 days i.e., from 21.10.2024 to 26.10.2024.**

(ii) The Convict Prisoner shall be released on **21.10.2024** at 10.00 am and surrender before the Superintendent, Central Prison I, Puzhal, on **26.10.2024** 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.]

14.10.2024

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 Prison,
Gandhi Irwin Road, Egmore,
Chennai – 600 008.

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

3. The Public Prosecutor
High Court of Madras.

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