



WEB COPY



W.P.No.29599 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.29599 of 2024

Vimala

... 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 the impugned order dated 31.07.2024 passed by the second respondent and quash the same directing the respondents to grant ordinary leave for 30 days without escort to the detenue, Ravi S/o. Kumar, aged



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about 55 years bearing convict no.8493 confined at Central Prison, Puzhal.

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For Petitioner : Mr. S.Sadhana

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

ORDER

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

The rejection of the leave application passed by the Superintendent of Prison, Central Prison, Puzhal, dated 31.07.2024 is sought to be quashed in the present writ petition.

2. The reason stated in the order impugned is that the convict prisoner has not completed 3 years of imprisonment and therefore, he is not eligible to avail the benefit of ordinary leave.

3. The learned Additional Public Prosecutor would submit that now the convict prisoner has completed 3 years and he is eligible to avail only 21 days of ordinary leave.



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4. The Probation Officer has also recommended for grant of leave to the convict prisoner .

5. Taking note of the fact, we are inclined to invoke our powers under Article 226 of the Constitution of India, thereby granting required leave to the convict prisoner herein.

6. Accordingly, the impugned order dated 31.07.2024 passed by the 2nd respondent is quashed and convict prisoner viz., Ravi S/o. Kumar, aged 55 years, convict no.8493, now confined at Central Prison, Puzhal, is hereby granted ordinary leave for a period of 21 days, without escort commencing from **30.10.2024** on the following conditions:-

(i) Respondents are directed to release the Convict Prisoner viz., Ravi S/o. Kumar, convict no.8493, now confined at Central Prison, Puzhal on Ordinary Leave for a period of **21 days i.e., from 30.10.2024 to 19.11.2024.**

(ii) The Convict Prisoner shall be released on **30.10.2024** at 10.00 am and surrender before the Central Prison, Puzhal, on **19.11.2024** at 10.00 a.m.

(iii) The Convict Prisoner is directed to report before the Inspector of Police, B-3-Viyasarpadi Police Station, Chennai, twice in a week, i.e., on Monday and Friday at 10.30a.m.,



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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.

7. Accordingly, the writ petition stands allowed. No Costs.

[S.M.S., J.]

[V.S.G., J.]

25.10.2024

Index: Yes/No

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Speaking/Non-speaking order

mrp

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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AND
V.SIVAGNANAM, J.

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