



WEB COPY



W.P.No.29678 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.29678 of 2024

Amutha

... Petitioner

Vs.

1.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 – 600 006.

... 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 25.07.2024 passed by the 2nd respondent and quash the same directing the respondents to grant ordinary leave for 30 days without escort to the detainee, Sreedhar S/o.Sundram aged about 55 years bearing Convict No.7721 confined at Central Prison, Puzhal.



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For Petitioner : Ms.S.Sadhana
For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

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

The rejection of leave application seeking ordinary leave is sought to be assailed in the present writ petition.

2. The learned counsel for the petitioner would submit that the reasons for rejection is that another criminal case is pending against the prisoner.

3. However, learned Additional Public Prosecutor appearing on behalf of the respondents would submit that there is no adverse conduct noticed in the prison.

4. That being the factum, the petitioner is otherwise eligible to avail ordinary leave under the rules. The prisoner has already undergone imprisonment for a period of about six years.



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5. That being so, we are inclined to consider the present writ petition.

Consequently, the impugned order of rejection issued by the Superintendent of Prison, Central Prison, Puzhal, Chennai in proceedings 25.07.2024 is quashed. Accordingly, we are inclined to permit the petitioner to avail 15 days Ordinary Leave on the following conditions;

- (1) The respondents are directed to release the Convict Prisoner viz., Mr.Sreedhar, S/o.Sundram, aged about 55 years bearing Convict No.7721, confined at Central Prison, Puzhal, Chennai, on Ordinary Leave for a period of Fifteen (15) days without escort i.e., from 22.10.2024 to 05.11.2024.
- (2) The Convict Prisoner shall be released on 22.10.2024 at 10.00 A.M. and surrender before the Superintendent of Prison, Central Prison, Puzhal, Chennai on 05.11.2024 at 05.00 P.M.
- (3) The Convict Prisoner is directed to report before the Inspector of Police, Tiruvallur Town Police Station, Tiruvallur, once in a week i.e., on every Monday at 05.00 P.M, during the period of leave.
- (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



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activities.

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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

To

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

2.The Superintendent,
Puzhal Central Prison-I,
Puzhal – 600 006.

3.The Additional Public Prosecutor,
Madras High Court.



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