



WEB COPY



W.P.No.30779 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.30779 of 2024

Mohammed Moosa
S/o.Mohammed Haneefa,
No.75 Moothai Meera Pillai Street,
Melapalayam,
Thirunelveli 627 005.

...Petitioner

Vs

1.The State Represented By Its
The Secretary to Government of Tamil Nadu
Department of Home
Fort St. George
Chennai 600 009.

2.The Superintendent
Central Prison
Palayamkottai 627 007.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the respondents to grant ordinary leave or 30 days without escort to the detinue Mohammed Moosa S/o. Mohammed Haneefa aged about 51 years convict No.9400 detained



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at Central Prison Palayamkottai in W.M.P.No.18095 of 2024 in W.P.No.32460 of 2023 order dated 16.07.2024 from 19.10.2024 for 3 months from 19.10.2024.

For Petitioner : M/s.S.Manoharan
For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

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

The present Writ Petition has been filed to extend ordinary leave for a period of further three months to the petitioner.

2. The learned Additional Public Prosecutor would submit that the application seeking pre-mature release of the prisoner is under consideration on the file of the Government. The process may takes more time and therefore the learned Additional Public Prosecutor has no serious objection for extension of interim bail already granted by this Court in W.M.P.No.18095 of 2024 in W.P.No.32460 of 2023 dated 16.07.2024.

3. In view of the fact that the respondents seeks time to dispose of the premature release application, we are inclined to extend the parole for another



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period of three months from 19.10.2024 till 19.01.2025 on following

conditions:-

- (1) The respondents are directed to release the Convict Prisoner viz., Mohammed Moosa S/o. Mohammed Haneefa aged about 51 years convict No.9400 detained at Central Prison, Palayamkottai, on Ordinary Leave for a period of three months without escort i.e., from 19.10.2024 till 19.01.2025.
- (2) The Convict Prisoner shall be released on 19.10.2024 at 10.00 A.M. and surrender before the Superintendent of Prisons, Central Prison, Palayamkottai, on 19.01.2025 at 05.00 P.M.
- (3) The Convict Prisoner is directed to report before the Inspector of Police, Melapalayam Police Station, Tirunelveli district, 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 activities.



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

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

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Index: Yes/No
Speaking/Non-speaking order
ep



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

ep

To

- 1.The State Represented By Its
The Secretary to Government of Tamil Nadu
Department of Home
Fort St. George
Chennai 600 009.
- 2.The Superintendent
Central Prison
Palayamkottai 627 007.
- 3.The Inspector of Police,
Melapalayam Police Station,
Tirunelveli.
4. The Public Prosecutor
High Court of Madras.

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