



WEB COPY



W.P.No.30785 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.30785 of 2024

Mohammed Azam
S/o.John Basha,
No.82, 2nd Street,
Thiruvalluvar Nagar,
Kunnimuthur,
Kovai – 1

...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
Coimbatore Central Prison
Coimbatore – 641 018

... 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 extend the ordinary leave granted to the detinue, Mohammed Azam, s/o.John Basha, aged about 45 years, Convict No.10709, detained at Central Prison,



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Coimbatore, in W.M.P.No.18090 of 2024 in W.P.No.32229 of 2023 order dated 16.07.2024 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.18090 of 2024 in W.P.No.32229 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 period of three months from 19.10.2024 till 19.01.2025 on following



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conditions:-

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- (1) The respondents are directed to release the Convict Prisoner viz., Mohammed Moosa S/o. Mohammed Azam, s/o. John Basha, aged about 45 years, Convict No.10709, detained at Central Prison, Coimbatore, 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, Coimbatore, on 19.01.2025 at 05.00 P.M.
- (3) The Convict Prisoner is directed to report before the Inspector of Police, Kunnimuthur D4 Police station, Coimbatore, 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.

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

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

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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
Coimbatore Central Prison
Coimbatore – 641 018
- 3.The Inspector of Police,
Kunnimuthur D4 Police Station,
Coimbatore.
4. The Public Prosecutor
High Court of Madras.

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