



WEB COPY



W.P.No.32085 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.11.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

W.P.No.32085 of 2024
and WMP.No.34849 of 2024

S.Deepa

... Petitioner

Vs.

1.The Deputy Inspector General of Prison,
Chennai Range,
Prison Head Quarters,
Whenalls Road,
Egmore, Chennai – 600008.

2.The Superintendent,
Central Prison – I, Puzhal,
Chennai – 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 No.CP.PUI/2479/2024/R2 daed 27.09.2024 passed by the second respondent and quash the same and consequently direct the respondents to grant 21 days ordinary leave to the petitioner's husband Suresh son of Raman, aged 38 years Ct.No.9113, now confined in the Central Prison-1, Puzhal, Chennai – 66.

For Petitioner : Ms.P.Pugalenth

For Respondents : Mr.R.Muniapparaj
Additional Public Prosecutor



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ORDER

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

The rejection of leave application by the Superintendent of Prison, Central Prison, Puzhal by the Proceeding No.CP.PU1/2479/2024/R2 dated 27.09.2024 is under challenge in the present writ proceedings.

2. The reasons stated for rejection of leave application is that the prisoner has been convicted under Section 392 r/w.397 IPC. The prisoner is in actual imprisonment for about 2 years and 3 months. Though the Probation Officer has not recommended for grant of ordinary leave, the prisoner had already availed ordinary leave for 10days and surrendered properly before the prison authorities, there is no adverse conduct noticed inside the prison by the prison authorities.

3. The learned counsel for the petitioner would submit that the prisoner is in need of ordinary leave for providing treatment to his mother and wife. Considering the fact, we are inclined to grant ordinary leave to the prisoner for **15 days** commencing from **18.11.2024 to 02.12.2024**.



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4. Accordingly, the convict prisoner viz., Mr.Suresh S/o.Raman (CT.No.9113) now confined at Central Prison – I, Puzhal, Chennai is hereby granted ordinary leave for a period of **15 days**, without escort commencing from **18.11.2024** on the following conditions.

(i) Respondents are directed to release the Convict Prisoner viz., Mr.Suresh S/o.Raman (CT.No.9113) now confined at Central Prison – I, Puzhal, Chennai on Ordinary Leave for a period of **15 days i.e., from 18.11.2024 to 02.12.2024.**

(ii) The Convict Prisoner shall be released on **18.11.2024** at 10.00 am and surrender before the Central Prison, Cuddalore on **02.12.2024** at 05.30 p.m.

(iii) The Convict Prisoner is directed to report before the **Inspector of Police, D4 R.K.PET Police Station, Tiruvallur District** twice a week on **Monday and Thursday at 10.30 a.m.,** 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.



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5. Accordingly, the writ petition stands allowed by quashing the proceedings No.CP.PU1/2479/2024/R2 dated 27.09.2024 passed by the second respondent. No Costs. Consequently, the connected Miscellaneous Petition is closed.

[S.M.S., J.]

[M.J.R., J.]

12.11.2024

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

To

1.The Deputy Inspector General of Prison,
Chennai Range,
Prison Head Quarters,
Whenalls Road,
Egmore, Chennai – 600008.

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

3.The Inspector of Police,
D4 R.K.PET Police Station,
Tiruvallur District

4. The Public Prosecutor
High Court of Madras.



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