



WEB COPY



W.P.No.32120 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2024

CORAM :

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

W.P.No.32120 of 2024

Arokkiyasami

... Petitioner/Father of the
Detenu

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 impugned order dated 07.10.2024 passed by the second respondent and quash the same and direct the respondents to grant emergency leave for 15 days without escort to the detenu, Jeyaraj S/o. Arokkiyasami aged about 30 years bearing Convict No.10537 confined at Central Prison, Puzhal.



W.P.No.32120 of 2024

For Petitioner : Mrs.S.Sadhana
For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

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

The order of rejection rejecting the leave application submitted by the petitioner in proceedings dated 07.10.2024 passed by the second respondent is sought to be assailed in the present writ petition.

2. The prisoner was convicted under POCSO Act and he is in actual imprisonment for about eight months.

3. Mrs.S.Sadhana, the learned Counsel appearing on behalf of the petitioner would submit that the petitioner/father of the convict prisoner is under going treatment at Hospital. Therefore, submitted an application seeking 15 days emergency leave to the convict prisoner.

4. The Superintendent of Prisons, Central Prison - I, Puzhal, Chennai issued a Certificate stating that there is no adverse conduct noticed inside the prison and the conduct of the prisoner is satisfactory.



W.P.No.32120 of 2024

5. Taking note of the fact that the petitioner/father of the prisoner is undergoing treatment at the Hospital, we are inclined to consider the present writ petition.

6. Accordingly, the impugned order passed by the second respondent in proceedings dated 07.10.2024 is hereby quashed and consequently, the convict prisoner viz., Jeyaraj S/o. Arokkiyasami, aged 30 years, bearing Convict No.10537, confined at Central Prison, Puzhal, Chennai is hereby granted Emergency Leave for 6 days without escort, which would commence from 13.11.2024, on the following conditions:

i) Respondents are directed to release the convict prisoner viz., Jeyaraj S/o. Arokkiyasami, aged 30 years, bearing Convict No.10537, confined at Central Prison, Puzhal, Chennai on Emergency Leave for a period of 6 days without escort commencing from 13.11.2024 to 18.11.2024.

(ii) The Convict Prisoner shall be released on 13.11.2024 at 10.30 A.M. and surrender before the Superintendent, Central Prison-I, Puzhal, Chennai on 18.11.2024 at 05.30 P.M.

(iii) The Convict Prisoner shall appear before Kalasapakkam Police Station, Thiruvannamalai District twice in a day i.e., at 10.30 a.m. in the morning and 6.00 p.m. in the evening.



W.P.No.32120 of 2024

WEB COPY

(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.]

[M.J.R., J.]

07.11.2024

Index: Yes/No

Speaking/Non-speaking order

veda

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,
Madras High Court,
Chennai - 600 104.



WEB COPY



W.P.No.32120 of 2024

S.M.SUBRAMANIAM, J.
AND
M.JOTHIRAMAN, J.

veda

W.P.No.32120 of 2024

07.11.2024
(2/2)