



WEB COPY

W.P.No.32247 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

W.P.No.32247 of 2024

and

W.M.P.No.35034 of 2024

Kavitha

... Petitioner

Vs.

The State represented by its,

1.The Deputy Inspector General of Prison,
Puzhal Range,
Puzhal – 600 066.

2.The Superintendent,
Puzhal Central Prison,
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 pertaining to the impugned order bearing No.CP-PU/12276/2024 R2 dated 05.09.2024, passed by the 2nd respondent and quash the same and consecutively direct the 2nd respondent to grant ordinary leave for 2 months



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without escort to the detenue, Somasundaram, S/o. Muniyandi aged about 47 years, bearing Convict No.1265 at Central Prison, Puzhal.

For Petitioner : Mr.M.Ezhilarasu
For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

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

The rejection of leave application issued by Superintendent of Prison is under challenge in the present writ petition.

2. The petitioner, a convict prisoner, sought for ordinary leave to protect their family's livelihood.

3. However, the Probation Officer recommended against granting leave, and the Inspector of Police, Sipcot Police Station, Tuticorin warned of potential communal clashes, if the prisoner were released. The nature of apprehension raised by the Inspector of Police cannot be brushed aside, in view of the fact that a murder has happened on 15.11.2024 recently on



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account of communal clash.

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4. Considering these reports and recent incidents of communal violence, we are not inclined to consider the present petition. Consequently, the Writ Petition stands dismissed, and the connected Miscellaneous Petition is closed.

[S.M.S., J.] [M.J.R., J.]
28.11.2024

Index : Yes

Neutral Citation : Yes

Speaking order / Non-speaking order

Jeni

To

1.The Deputy Inspector General of Prison,
Puzhal Range,
Puzhal – 600 066.

2.The Superintendent,
Puzhal Central Prison,
Puzhal – 600 066.

3.The Additional Public Prosecutor,
Madras High Court.



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

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