



W.P.No.32588 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.11.2024

CORAM :

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE M.JOTHIRAMAN

W.P.No.32588 of 2024

Baby
W/o Dhurabu

.. Petitioner

v.

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

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, to call for the records connected with impugned order dated 29.08.2024 passed by the second respondent and quash the same and directing the respondents to grant ordinary leave for 30 days without escort to the detenu Raja, S/o Dhurabu, aged about 38 years, bearing Convict No.10397 confined at Central Prison, Puzhal.



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For Petitioner :: M/s 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 of leave application in proceeding dated 29.08.2024 is sought to be quashed in the present writ petition. The reason furnished for rejecting the leave application is that the prisoner has not completed three years of imprisonment and therefore, not eligible for ordinary leave under the Rules.

2. However, the reason stated in the leave application is that the mother of the prisoner has to undergo surgery. The said factum has been verified by the Probation Officer and found to be true. The Probation Officer has recommended the case of the prisoner for grant of ordinary leave. Considering the reasons, we are inclined to consider the present petition and accordingly pass the following order:-

(i) The impugned order passed by the second respondent dated



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29.08.2024 is set aside.

(ii) The prisoner, namely, Raja, S/o Dhurabu, aged about 38 years, Convict No.10397, who is confined in Central Prison, Puzhal, Chennai, is granted 21 days ordinary leave without escort.

(iii) The leave shall commence from 13.11.2024 10.30 A.M., and the prisoner shall surrender before the second respondent by 5.30 P.M., on 03.12.2024.

(iv) The prisoner shall appear before the H-1 Old Washermanpet Police Station, Chennai twice a week i.e., on every Monday and Friday at 10.30 A.M., during the period of leave.

The writ petition stands allowed on the above terms. Consequently,

W.M.P.No.35423 of 2024 is closed. No costs.

Index : yes

Neutral citation : yes/no

ss

(S.M.S.,J.) (M.J.R.,J.)

08.11.2024

To

1. The Deputy Inspector General of Prison
Gandhi Irwin Road, Egmore
Chennai 600 008

2. The Superintendent
Puzhal Central Prison-I
Chennai 600 066



3. The Public Prosecutor
High Court, Madras

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S.M.SUBRAMANIAM,J.

AND

M.JOTHIRAMAN,J.

SS

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