



WEB COPY



W.P.No.32644 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.10.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

W.P.No.32644 of 2024

Kalaiselvi

... Petitioner/Wife of the
Detenu

Vs.

1. The State represented by its,
The Secretary to the Government of
Tamil Nadu,
Department of Home,
Fort St.George,
Chennai - 600 009.
2. The Director Inspector General of Prison,
Coimbatore Range,
Coimbatore Central Prison,
Coimbatore - 641 018.
3. 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 Emergency Leave for 15 days without escort to the detenu, Thangamani S/o. Periyasamy, aged about 65 years, Convict No.25415, detained



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at Central Prison, Coimbatore as per order dated 21.10.2024 in W.P.No.29920 of 2024 from 02.11.2024.

For Petitioner : Ms.K.Akshaya
For Respondents : Mr.E.Raj Thilak,
Additional Public Prosecutor

ORDER

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

The writ of mandamus has been instituted to direct the respondents to extend emergency leave for 15 days without escort to the detenu viz., Thangamani S/o. Periyasamy, aged about 65 years, Convict No.25415, detained at Central Prison, Coimbatore as per order dated 21.10.2024 in W.P.No.29920 of 2024 from 02.11.2024.

2. Heard the learned Counsel for the petitioner and the learned Additional Public Prosecutor for the respondents.

3. The reasons stated for extension of leave is that the prisoner is aged about 65 years and suffering from ailments.



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4. The learned Counsel appearing on behalf of the petitioner would submit that the prisoner has already availed 9 days Emergency Leave.

Therefore, he is eligible up to 15 days.

5. Considering the reasons stated in the affidavit filed in support of the petition, we are inclined to extend Emergency Leave for another 3 days i.e., commencing from 02.11.2024 to 06.11.2024.

6. Accordingly, the convict prisoner *viz.*, Thangamani, aged 65 years, S/o. Periyasamy, Convict No.25415 confined at Central Prison, Coimbatore is hereby extended Emergency Leave for 03 days without escort commencing from 02.11.2024 to 06.11.2024 on the following conditions:

(i) The Convict Prisoner shall be released on 02.11.2024 at 10.30 a.m. and surrender before the Superintendent, Central Prison, Coimbatore on 06.11.2024 at 10.30 a.m.

(ii) 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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7. 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

veda

NOTE: Issue order copy today i.e., on 30.10.2024.



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Tamil Nadu,
Department of Home,
Fort St.George,
Chennai - 600 009.
2. The Director Inspector General of Prison,
Coimbatore Range,
Coimbatore Central Prison,
Coimbatore - 641 018.
3. The Superintendent,
Coimbatore Central Prison,
Coimbatore - 641 018.
4. The Public Prosecutor,
Madras High Court,
Chennai - 104.



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