



WEB COPY



W.P.No.33623 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.11.2024

CORAM :

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

W.P.No.33623 of 2024

Sakthivel
S/o Elumalai

.. 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 in proceedings No.164409/ThaKu.2/2024 dated 14.10.2024 passed by the second respondent and quash the same and directing the respondents to grant ordinary leave for 28 days without escort to the detenu, Ramajeyam, S/o Elumalai, aged about 40 years bearing



W.P.No.33623 of 2024

Convict No.8390 confined at Central Prison, Puzhal.

WEB COPY

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 prisoner was granted ordinary leave by the prison authorities. However, he is not in a position to execute the bond by providing surety, as per the impugned letter dated 14.10.2024. Thus the present writ petition came to be instituted.

2. The learned counsel for petitioner would submit that the prisoner is kept in the open air jail and he is maintaining good conduct throughout the period of imprisonment. He is in actual imprisonment for about six years.

3. The letter of the Superintendent of Prison addressed to the learned Public Prosecutor would reveal that the conduct of the prisoner is satisfactory and he has not committed any prison offence so far.



W.P.No.33623 of 2024

4. Taking note of the fact that the prisoner is in actual imprisonment

for six years, we are inclined to pass the following order:-

- (i) The impugned order passed by the 2nd respondent dated 14.10.2024 is set aside.
- (ii) The prisoner, namely, Ramajeyam, S/o Elumalai, aged about 40 years, Convict No.8390, who is confined in Central Prison, Puzhal, Chennai is granted 21 days ordinary leave without escort.
- (iii) The leave shall commence from 25.11.2024 10.30 A.M., and the prisoner shall surrender before the second respondent by 5.30 P.M., on 15.12.2024.
- (iv) The prisoner shall appear before the J-6 Thiruvanmiyur Police Station, Chennai twice a week i.e., on every Monday and Thursday at 11.00 A.M., during the period of leave.

The writ petition stands allowed on the above terms. No costs.

Index : yes

Neutral citation : yes/no

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

19.11.2024

SS

To

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



W.P.No.33623 of 2024

WEB COPY

2. The Superintendent of Prison
Central Prison, Puzhal
Chennai 600 066

3. The Inspector of Police
J-6 Thiruvanmiyur Police Station
Chennai

4. The Public Prosecutor
High Court, Madras



WEB COPY



W.P.No.33623 of 2024

S.M.SUBRAMANIAM,J.

AND

M.JOTHIRAMAN,J.

SS

W.P.No.33623 of 2024

19.11.2024