



WEB COPY



W.P.No.33783 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.33783 of 2024

Vanaja
W/o Kameshkumar .. Petitioner

v.

1. The State represented by its
The Deputy Inspector General of Prison
Puzhal Range, Chennai

2. The Superintendent of Prison
Puzhal Central Prison
Chennai

.. 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 25.10.2024 in proceeding No.271605/thaku2/2024 passed by the second respondent and quash the same directing the respondents to grant ordinary leave for 30 days without escort to the detenu, Kamesh Kumar, S/o Venu, aged about 41 years, bearing Convict No.5666, confined at Central Prison, Puzhal.

For Petitioner :: M/s S.Sadhana



WEB COPY



W.P.No.33783 of 2024

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 in proceeding dated 25.10.2024 is under challenge in the present writ petition. The reason assigned in the impugned order is that the prisoner is not eligible to avail ordinary leave, since the Probation Officer has not recommended the case of the prisoner for grant of ordinary leave.

2. The learned counsel for petitioner would submit that the prisoner is in actual imprisonment for two years and the period of conviction is seven years.

3. The Superintendent of Prisons addressed a letter to the learned Public Prosecutor stating that the prisoner has not committed any prison offence so far and his conduct in prison is satisfactory.



W.P.No.33783 of 2024

4. Taking note of the above facts, we are inclined to pass the following

order:-

- (i) The impugned order passed by the 2nd respondent dated 25.10.2024 is set aside.
- (ii) The prisoner, namely, Kamesh Kumar, S/o Venu, aged about 41 years, Convict No.5666, 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 S-6 Shankar Nagar 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. Consequently,

W.M.P.No.36593 of 2024 stands closed. No costs.

Index : yes

Neutral citation : yes/no

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

19.11.2024

SS



W.P.No.33783 of 2024

To
WEB COPY

1. The Deputy Inspector General of Prison
Puzhal Range
Chennai
2. The Superintendent of Prison
Central Prison
Puzhal, Chennai 600 066
3. The Inspector of Police
S-6 Shankar Nagar Police Station
Chennai
4. The Public Prosecutor
High Court, Madras



WEB COPY



W.P.No.33783 of 2024

S.M.SUBRAMANIAM,J.

AND

M.JOTHIRAMAN,J.

SS

W.P.No.33783 of 2024

19.11.2024