



WEB COPY



W.P.No.33899 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.11.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

W.P.No.33899 of 2024

M.Gokila

... Petitioner

Vs.

The Superintendent of Prisons,
Central Prison – 1,
Puzhal,
Chennai 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 No.467381/Tha Ku2/2024, dated 06.11.2024, passed by respondent and quash the same and consequently direct the respondent to grant 30 days ordinary leave to the petitioner's husband Murugaiyan Son of Velu, Convict Prisoner, Ct.No.7826, now confined in the Central Prison – 1, Puzhal, Chennai – 66.

For Petitioner	: Mr.P.Pugalenth
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 issued in proceedings dated 06.11.2024 is sought to be quashed in the present writ petition.

2.The petitioner submitted an application seeking emergency leave for six



W.P.No.33899 of 2024

days since the sister of the prisoner admitted in Jibmar Hospital at Puducherry.

WEB COPY

3.The application was rejected on the ground that the original medical records are not produced. However, on verification, the Probation Officer found that the reasons stated is correct. The sister of the prisoner has been admitted due to serious illness and undergoing treatment. The Superintendent of Prisons certified that the conduct of the prisoner, inside the prison, is satisfactory and he has not committed any prison offence. The prisoner was convicted to undergo the sentence for seven years, out of which, he has already in actual imprisonment for about 6 ½ years.

4.Taking note of the above factum, we are inclined to quash the impugned order dated 06.11.2024 and grant **six days** emergency leave to the prisoner commencing from **15.11.2024 to 20.11.2024**.

5.Accordingly, the convict prisoner viz., Murugaiyan Son of Velu, Ct.No.7826, now confined in the Central Prison – 1, Puzhal, Chennai – 66, is hereby granted emergency leave for a period of **six days**, without escort commencing from **15.11.2024** on the following conditions.

(i) Respondents are directed to release the Convict



W.P.No.33899 of 2024

Prisoner viz., Murugaiyan Son of Velu, Ct.No.7826, now confined in the Central Prison – 1, Puzhal, Chennai – 66, on emergency leave for a period of **six days i.e., from 15.11.2024 to 20.11.2024.**

(ii) The Convict Prisoner shall be released on **15.11.2024** at 10.00 am and surrender before the Superintendent, Central Prison – 1, Puzhal, Chennai – 66, on **20.11.2024** at 05.30 p.m.;

(iii) 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.

7. Accordingly, the writ petition stands allowed. No Costs.

[S.M.S., J.] [M.J.R., J.]
13.11.2024

sli

Index: Yes/No

Speaking/Non-speaking order

Note: Registry is directed to issue the order copy on 14.11.2024.

To

1. The Superintendent of Prisons,
Central Prison – 1,
Puzhal, Chennai 600 066.

2. The Public Prosecutor
High Court of Madras.



WEB COPY



W.P.No.33899 of 2024

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

sli

W.P.No.33899 of 2024

13.11.2024