



WEB COPY



W.P.No.34206 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2024

CORAM :

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

W.P.No.34206 of 2024

AneesUnnissha

... Petitioner

Vs.

1.The Secretary to Government
Department of Law, Courts and Prisons
Secretariat, Chennai – 9.

2.The Director General of Prisons
Thalamuthu Natarajan Maligai
Gandhi Irwin Road
Chennai – 8.

3.The Superintendent of Prisons
Central Prison, Puzhal, Chennai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, to call for the records pertaining to the order dated 07.11.2024 made in No.466224.TK.2/2024 on the file of te Superintendent of Prisons, Central Prisons, Puzhal, Chennai, the 3rd respondent herein and quash the same and consequently direct the 3rd respondent to grant 15 days leave to the petitioner.

For Petitioner : Mr.R.Rajan

For Respondents : Mr.R.Muniyapparaj



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Additional Public Prosecutor

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ORDER

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

This petition has been instituted seeking direction to the respondents to consider the representation of the petitioner for grant of 15 days leave.

2. The prisoner was convicted and sentenced to undergo 10 years of imprisonment.

3. The learned counsel for the petitioner would submit that the prisoner is in actual imprisonment for about 9 years and 10 months, the prisoner is taking treatment and in order to continue his treatment in a hospital, he made a application seeking ordinary leave for 15 days.

4. The Superintendent of Prison stated that conduct of the prisoner is satisfactory. No adverse conduct has been noticed against the prisoner inside the prison.

3. Taking note of the facts, the prisoner is maintaining good conduct



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inside the prison. We are inclined to consider the present petition, accordingly

the prisoner is granted **15 days** of Ordinary leave commencing from

04.12.2024 to 18.12.2024.

5. Accordingly, the convict prisoner viz., Mr.Sadiq Basha s/o.Saleem Basha bearing convict No.7132 now confined at Central Prison, Puzhal, Chennai is hereby granted ordinary leave for a period of **15 days**, without escort commencing from **04.12.2024** on the following conditions.

(i) Respondents are directed to release the Convict Prisoner viz., Mr.Sadiq Basha s/o.Saleem Basha bearing convict No.7132 now confined at Central Prison, Puzhal, Chennai on Ordinary Leave for a period of **15 days i.e., from 04.12.2024 to 18.12.2024.**

(ii) The Convict Prisoner shall be released on **04.12.2024** at 10.00 am and surrender before the Central Prison, Puzhal, Chennai on **18.12.2024** at 05.30 p.m.

(iii) The Convict Prisoner is directed to report before the **Inspector of Police, D3 Ice House, Police Station,** at **11.00 a.m.,** on every **Monday and Thursday** during the period of leave.

(iv) The Convict Prisoner shall utilize the leave only for



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the ground on which it has been granted and shall not indulge in any other activities.

6. Accordingly, the writ petition stands allowed by quashing the proceedings No.466224.TK.2/2024 dated 07.11.2024 passed by the third respondent. No Costs.

[S.M.S., J.]

[M.J.R., J.]

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Index: Yes/No

Speaking/Non-speaking order
tsh

To

1.The Secretary to Government
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Secretariat, Chennai – 9.

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Thalamuthu Natarajan Maligai
Gandhi Irwin Road
Chennai – 8.

3.The Superintendent of Prisons
Central Prison, Puzhal, Chennai.

4.The Inspector of Police
D3 Ice House Police Station,
Chennai.

5. The Public Prosecutor
High Court of Madras.



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