



WEB COPY



W.P.No.34524 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2024

CORAM :

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

W.P.No.34524 of 2024

Vimala ... Petitioner
Vs.

1.The State represented by its,
The Deputy Inspector General of Prison,
Gandhi Irwin Road, Egmore,
Chennai – 600008.

2.The Superintendent,
Puzhal, Central Prison-I,
Chennai

... 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 connected with impugned order dated 06.11.2024 in proceedings No.429713/Thaku.2/2024 passed by the second respondent and quash the same and directing the respondents to grant emergency leave for 15 days without escort to the detenue, Theivaneethi s/o.Late Veluchamy aged about 47 years bearing Convict No.10333 confined at Central Prison, Puzhal.



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For Petitioner : Ms.S.Sadhana
For Respondents : Mr.R.Muniapparaj
Additional Public Prosecutor

ORDER

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

The rejection of leave application by the Superintendent of Prison, Puzhal Chennai by the Proceeding No.429713/Thaku.2/2024 dated 06.11.2024 is under challenge in the present writ proceedings.

2. The petition seeking emergency leave was files on the ground that the sister of the prisoner is undergoing treatment in a hospital. The prisoner is willing to meet his sister.

3. With reference to the reasons, the probation officer has found that the two daughters of the sister of the prisoner is taking care of the patient. The petitioner herself is capable of attending the hospital for treatment.

4. The learned counsel would submit that the petitioner has to execute some documents before the sub registrar office in favour of the petitioner.



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5. Considering the fact that the prisoner has to execute some documents before the Sub Registrar Office, we are inclined to grant nine days emergency leave. Consequently, the impugned order No.429713/Thaku.2/2024 dated 06.11.2024 is quashed and the prisoner is granted emergency leave for 9 days, which is to be granted in two spells i.e., 6 days + 3 days from 11.12.2024 till 19.12.2024.

6. Accordingly, the convict prisoner viz., Theivaneethi s/o.Late Veluchamy aged 47 years bearing Convict No.10333 confined at Central Prison, Puzhal, is hereby granted emergency leave for a period of **9 days, with escort** commencing from **11.12.2024** on the following conditions.

(i) Respondents are directed to release the Convict Prisoner viz., Theivaneethi s/o.Veluchamy aged 47 years bearing Convict No.10333 confined at Central Prison, Puzhal on emergency Leave for a period of **9 days i.e., from 11.12.2024 to 19.12.2024.**

(ii) The Convict Prisoner shall be released on **11.12.2024** at 10.00 am and surrender before the Superintendent, Central Prison, Puzhal, on **19.12.2024** 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.



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7. Accordingly, the writ petition stands disposed of. No Costs.

Consequently, the connected Miscellaneous Petition is closed.

[S.M.S., J.]

[M.J.R., J.]

09.12.2024

Index: Yes/No

Speaking/Non-speaking order
tsh

To

1. The State represented by its,
The Deputy Inspector General of Prison,
Gandhi Irwin Road, Egmore,
Chennai – 600008.

2. The Superintendent,
Puzhal, Central Prison-I,
Chennai

3. The Public Prosecutor
High Court of Madras.



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