



WEB COPY



W.P.No.34542 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.11.2024

CORAM :

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

W.P.No.34542 of 2024
and WMP.No.37444 of 2024

Anjaalai

... 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,
Puzhal – 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 connected with impugned order dated 07.11.2024 in proceedings No.164421/Thaku2/2024 passed by the second respondent and quash the same and directing the respondents to grant ordinary leave for 30days without escort to the detenue Gunasekaran s/o.Raagu aged about 67 years bearing Convict No.7680 confined at Central Prison, Puzhal.

For Petitioner

: Ms.S.Sadhana



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For Respondents

: Mr.R.Muniyapparaj
Additional Public Prosecutor

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ORDER

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

The rejection of leave application issued by the Superintendent of Prison dated 07.11.2024 in proceedings No.164421/Thaku2/2024 is sought to be assailed in the present proceedings.

2. The learned counsel for the petitioner would submit that the wife of the prisoner is seriously ill and undergoing treatment. The prisoner is aged about 67 years and already in actual imprisonment for about 5 years and 3 months. The probation officer recommended the case of the prisoner for grant of ordinary leave.

3. Taking into account all the facts that the prisoner is in imprisonment for more than five years and not involved in any prison. We are inclined to grant ordinary leave to the prisoner for **21 days** commencing from **02.12.2024** to **22.12.2024**.

4. Accordingly, the convict prisoner viz., Mr.Gunasekaran s/o.Raagu aged about 67 years bearing convict No.7680 now confined at Central Prison,



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Puzhal, Chennai is hereby granted ordinary leave for a period of **21 days**,

without escort commencing from **02.12.2024** on the following conditions.

(i) Respondents are directed to release the Convict Prisoner viz., Gunasekaran s/o.Raagu aged about 67 years bearing convict No.7680 now confined at Central Prison, Puzhal, Chennai on Ordinary Leave for a period of **21 days i.e., from 02.12.2024 to 22.12.2024.**

(ii) The Convict Prisoner shall be released on **02.12.2024** at 10.00 am and surrender before the Central Prison, Puzhal on **22.12.2024** at 05.30 p.m.

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

(iv) 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.

5. Accordingly, the writ petition stands allowed by quashing the proceedings No.164421/Thaku2/2024 dated 07.11.2024 passed by the second respondent. No Costs. Consequently, the connected Miscellaneous Petition is closed.

[S.M.S., J.]

[M.J.R., J.]



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Index: Yes/No
Speaking/Non-speaking order
tsh

To

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2.The Superintendent,
Puzhal Central Prison – I,
Puzhal – 600 066.

3.The Inspector of Police,
Choonambedu Police Station.

4. The Public Prosecutor
High Court of Madras.



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