



WEB COPY



W.P.No.35218 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

W.P.No.35218 of 2024

Desi Rani

... Petitioner/Sister of the Detenue

Vs.

1.The State represented by its,
The Deputy Inspector General of Prison,
Gandhi Irwin Road, Egmore,
Chennai- 600 008.

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

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to grant ordinary leave for 30 days without escort to the detenue, Justin S/o.Siluvaimuthu aged about 43 years bearing Convict No. 8325, confined at Central prison, Puzhal.



W.P.No.35218 of 2024

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

ORDER

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

The writ petition has been instituted to direct the respondents to grant ordinary leave for 30 days without escort to the detenue, Justin, S/o.Siluvaimuthu, aged about 43 years, bearing Convict No. 8325, confined at Central Prison, Puzhal.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3. The Convict Prisoner is in actual imprisonment for about four years four months and 10 days.

4. The Probation Officer conducted an enquiry and found that there is no objection from the relatives of the Convict Prisoner for grant of leave. He has



W.P.No.35218 of 2024

made further enquiry to ascertain any likelihood of apprehension or otherwise.

But, there is no negative report against the Convict Prisoner and the Probation Officer recommended the case of the Convict Prisoner for grant of leave.

5. Considering the report of the Probation Officer and the reason stated in the Leave Application is found to be correct, we are inclined to grant Ordinary Leave. Therefore, the Convict Prisoner is permitted to avail Ordinary Leave for a period of thirty (30) days without escort, on the following conditions:

- (1) The respondents are directed to release the Convict Prisoner viz., Justin, S/o.Siluvaimuthu, aged about 43 years bearing Convict No.8325, confined at Central Prison, Puzhal on Ordinary Leave for a period of thirty (30) days without escort commencing from 21.12.2024.
- (2) The Convict Prisoner shall be released on 21.12.2024 at 10.00 A.M. and surrender before the Superintendent of Prisons, Central Prison, Puzhal, Chennai, on 19.01.2025 at 05.00 P.M.
- (3) The Convict Prisoner shall appear before the Inspector of Police, K-1, Sembium Police Station, Chennai, twice in a week i.e., on every Monday and Thursday at 11.00 A.M, during the period of leave.



WEB COPY



W.P.No.35218 of 2024

(4) During all hearings, the Convict Prisoner shall appear before the II Additional Special Court for NDPS Act, Chennai, where the Criminal Case is pending.

(5) During the leave period, the Convict Prisoner shall abide by all the conditions prescribed in the Jail Manual.

(6) 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.

6. With the above directions, this Writ Petition stands allowed. No costs.

[S.M.S., J.]

[M.J.R., J.]

16.12.2024

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No

kak

To

1. The Deputy Inspector General of Prison,
Gandhi Irwin Road, Egmore,
Chennai- 600 008.



W.P.No.35218 of 2024

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

3.The Additional Public Prosecutor,
Madras High Court.



WEB COPY



W.P.No.35218 of 2024

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

kak

W.P.No.35218 of 2024

16.12.2024