



W.P.No.34433 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.01.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S.RAMESH

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

W.P.No.34433 of 2023

Bhuvaneshwari

...Petitioner / sister of the Detenue

vs.

1.The State represented by its,
The Deputy Inspector General of Prison,
Puzhal Range,
Puzhal.

2.The Superintendent,
Central Prison,
Puzhal.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India,
praying for a Writ of Mandamus, directing the respondents to grant ordinary
leave for 30 days without escort to the detenue, Parthiban, S/o.Murugan,
aged about 36 years, bearing Convict No.1982 confined at Central Prison,
Puzhal.



WEB COPY



W.P.No.34433 of 2023

For Petitioner : Mr.M.Ezhilarasu
For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor
Assisted by Mr.C.Aravind

ORDER

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

The prayer sought in the Writ Petition for grant of ordinary leave has become infructuous since the respondents themselves, vide an order dated 12.01.2024, had granted 21 days of ordinary leave with escort on condition that the detainee should furnish a bond for a sum of Rs.500/- with sureties from two independent persons worth Rs.500/- each.

2.We have perused the P.O. report, dated 21.12.2023, wherein there is no reason assigned as to why the life convict has to be released on ordinary leave "with escort". Thus, the order passed by the Jail Authorities, dated 12.01.2024, granting 21 days of ordinary leave, is modified to the extent



W.P.No.34433 of 2023

that the leave shall be for a period of 21 days, without escort, with two independent sureties worth Rs.500/- each on the following conditions.

(i) Respondents are directed to release the Convict Prisoner viz., Parthiban, S/o.Murugan, aged about 36 years, bearing Convict No.1982 confined at Central Prison, Puzhal, on Ordinary Leave for a period of 21 days i.e., from the date of producing of the sureties.

(ii) The Convict Prisoner shall be released on the date of production of the sureties and surrender before the Superintendent of Prisons, Central Prison, Puzal, on the 21st day at 05.00 p.m.

(iii) The Convict Prisoner is directed to report before the Thiruvannamalai East Police Station twice a week i.e., on every Monday and Thursday at 05.00 pm, during the period of leave.

(iv) During the period of leave, the Probation Officer shall furnish a report touching upon the conduct of the detainee whilst he was on leave.



WEB COPY



W.P.No.34433 of 2023

(v) 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.

3. With the above directions, the Writ Petition stands disposed of.

(M.S.R.,J.) (S.M.,J.)
24.01.2024

Note to Registry:

1. Issue order copy by **24.01.2024**.
 2. Upload the order copy forthwith.
- Anu



WEB COPY



W.P.No.34433 of 2023

To

1.The State represented by its,
The Deputy Inspector General of Prison,
Puzhal Range,
Puzhal.

2.The Superintendent,
Central Prison, Puzhal.

3.The Inspector of Police,
Thiruvannamalai East Police Station.

4. The Public Prosecutor,
High Court, Madras.



WEB COPY



W.P.No.34433 of 2023



WEB COPY



W.P.No.34433 of 2023

M.S.RAMESH, J

and

SUNDER MOHAN, J

Anu

W.P.No.34433 of 2023

24.01.2024