



WEB COPY



W.P.No.35201 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S.RAMESH

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

W.P.No.35201 of 2023

Vanitha

... Petitioner

Vs.

The State represented by its,

1.The Deputy Inspector General of Prison,
Coimbatore Range,
Coimbatore 641 018.

2.The Superintendent,
Coimbatore Central Prison,
Coimbatore 64 018.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to grant ordinary leave for 30 days without escort to the detenue, Selvaraj,



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S/o.Samuvel, aged about 48 years, convict prisoner, bearing Convict No.21000 confined at Central Prison, Coimbatore.

For Petitioner : Mr.P.Bakiyaraj
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 petitioner, who is the wife of the convict prisoner namely Selvaraj, Son of Samuvel, Ct. No.21000, now confined in the Central Prison, Coimbatore, has come forward with this writ petition to direct the respondents to grant ordinary leave to her husband for 30 days without escort.

2.The petitioner states that her husband was convicted for the offences under Section 506(ii) of IPC and sentenced to undergo 7 years



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imprisonment and Section 5(j), (ii), r/w 6, 5(1) of the Protection of Children from the Sexual Offences Act, 2012 and sentenced to undergo life imprisonment. The petitioner further states that her husband has been in incarceration for the past 5 years and hence, she is not able to manage even her basic needs and medical expenses. Therefore, she made a representation, dated 20.11.2023 to the respondents for ordinary leave to her husband for 30 days without escort. Since the same has not been considered till date, she has come forward with this writ petition.

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

4.Having regard to the limited scope of the prayer in the writ petition, this Court, without going into the merits of the petitioner's representation or the contentions of the petitioner in the affidavit filed in support of this writ petition, directs the respondents to consider the representation of the petitioner, dated 20.11.2023 for ordinary leave to the petitioner's husband for 30 days without escort, and pass appropriate orders on merits and in



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accordance with law, within a period of two weeks from the date of receipt of a copy of this order, and communicate the same to the petitioner.

5. With the above direction, this writ petition is disposed of. No costs.

[M.S.R., J] [S.M., J]
02.01.2024

pvs

Internet : Yes

Index : Yes / No

Neutral Citation : Yes / No

To

1. The Deputy Inspector General of Prison,
Coimbatore Range,
Coimbatore 641 018.

2. The Superintendent,
Coimbatore Central Prison,
Coimbatore 64 018.

3. The Public Prosecutor,
High Court, Madras.



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and
SUNDER MOHAN, J.

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