



WEB COPY



W.P.No.36313 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.12.2024

CORAM :

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

**W.P.No.36313 of 2024**

Sowntherya

... Petitioner

***Vs.***

The State represented by its,

1.The Secretary to Government of Tamil Nadu,  
Home (Prison IV) Department,  
Fort, St.George,  
Chennai – 600 009.

2.The Deputy Inspector General of Prison,  
Salem Central Prison,  
Salem – 636 007.

3.The Superintendent,  
Salem Central Prison,  
Salem – 636 007.

... Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the respondents to grant emergency leave for 15 days without escort to the detenue, Deepak @ Ram Deepak, S/o.Madhashwaran bearing Convict No.9774, undergoing imprisonment now at Central Prison, Salem.

For Petitioner : Mr.S.Manoharan

For Respondents : Mr.R.Muniyapparaj  
Additional Public Prosecutor



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### ORDER

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

The Writ of Mandamus has been instituted to direct the respondents to grant emergency leave for 15 days to the prisoner.

2. Learned counsel for the petitioner would submit that the prisoner is suffering from ill health and therefore, the wife of the prisoner is willing to provide treatment to the prisoner.

3. Learned Additional Public Prosecutor would submit that the prisoner is taking treatment in prison hospital and further he has been taken for treatment to the Salem Government Hospital.

4. In view of the said position, convict prisoner is granted 6 days emergency leave from **10.12.2024 till 15.12.2024.**

5. Accordingly, the convict prisoner viz., Deepak @ Ram Deepak, S/o.Madhashwaran bearing Convict No.9774, undergoing imprisonment now at Central Prison, Salem, is hereby granted emergency leave for a period of **6 days**,



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without escort commencing from **10.12.2024** on the following conditions.

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(i) Respondents are directed to release the Convict Prisoner viz., Deepak @ Ram Deepak, S/o.Madhashwaran bearing Convict No.9774, undergoing imprisonment now at Central Prison, Salem on emergency Leave for a period of **6 days i.e., from 10.12.2024 till 15.12.2024.**

(ii) The Convict Prisoner shall be released on **10.12.2024** at 10.00 am and surrender before the Superintendent, Salem Central Prison, Salem on **15.12.2024** 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.

7. Accordingly, the writ petition stands allowed. No Costs. Consequently, the connected Miscellaneous Petition, if any, is closed.

[S.M.S., J.]

[M.J.R., J.]

**05.12.2024**

Index: Yes/No

Speaking/Non-speaking order

*gd*



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To

1. The Secretary to Government of Tamil Nadu,  
Home (Prison IV) Department,  
Fort, St. George,  
Chennai – 600 009.

2. The Deputy Inspector General of Prison,  
Salem Central Prison,  
Salem – 636 007.

3. The Superintendent,  
Salem Central Prison,  
Salem – 636 007.

4. The Public Prosecutor,  
High Court of Madras.



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

*gd*

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