



WEB COPY



W.P.No.36908 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.12.2024

CORAM:

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

W.P.No.36908 of 2024

Dhanalakshmi

... Petitioner

Vs.

The State rep. by its,
1.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: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records connected with impugned order dated 07.10.2024 passed by the second respondent and quash the same directing the respondents to grant ordinary leave for 28 days without escort to the detenu, Muruganandham, S/o.Marimuthu, aged about 39 years, bearing Convict No.7806, confined at Central Prison, Puzhal.

For Petitioner : Ms.S.Sadhana



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For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

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

The impugned order rejecting the leave application in proceedings dated 07.10.2024, is under challenge in the present Writ Petition.

2. The prisoner is in actual imprisonment for about 8 years, 8 months and 27 days out of the total imprisonment of 10 years. The impugned order reveals that leave application was rejected since the prisoner was convicted under NDPS Act.

3. The Probation Officer found that the first daughter of the prisoner got recently married and residing at Musiri and the second daughter is studying 3rd year in a private college at Trichy.



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4. Taking note of the facts and circumstances, we are inclined to consider the present petition and grant **21 days** ordinary leave to the convict prisoner.

5. Accordingly, the Writ Petition stands allowed and the impugned order dated 07.10.2024 is set aside. Consequently, the convict prisoner viz., Muruganandham, aged about 39 years, S/o.Marimuthu, bearing Convict No.7806, confined at Central Prison, Puzhal, is hereby granted ordinary leave for a period of **21 days**, without escort commencing from **18.12.2024** on the following conditions:-

(i) Respondents are directed to release the Convict Prisoner viz., Muruganandham, aged about 39 years, S/o.Marimuthu, bearing Convict No.7806, confined at Central Prison, Puzhal, for a period of **21 days, i.e., from 18.12.2024 till 07.01.2025.**

(ii) The Convict Prisoner shall be released on **18.12.2024** at 10.30 A.M. and surrender before the Jail Authority on **07.01.2025** at 05.30 P.M. During the period



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of leave, the convict prisoner shall report before the jurisdictional Police i.e. Manapari Police Station, Trichy District, twice a week on every Monday and Thursday at 11.00 A.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.

No costs.

(S.M.S, J.)

(M.J.R, J.)

13.12.2024

Index: Yes/No

Internet: Yes/No

Speaking order/Non-speaking order

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1.The Deputy Inspector General of Prison,
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Chennai – 600 008.

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

3.The Public Prosecutor,
High Court of Madras,
Chennai.



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S.M.SUBRAMANIAM, J.
and
M.JOTHIRAMAN, J.

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