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W.P.No.37100 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.37100 of 2024

Indirani

... Petitioner

Vs.

1.The State rep. 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: 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 proceeding No.203016/Tha.Ku.2/2024 dated 05.11.2024 passed by the second respondent and quash the same and direct the respondents to grant ordinary leave for 28 days without escort to the detenu, Sarangabani, S/o.Subramani, aged about 52 years, bearing Convict No.7611, confined at Central Prison, Puzhal.



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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 on hand has been instituted challenging the order passed by the second respondent, sanctioning ordinary leave to the prisoner with escort.

2. We have perused the report of the Probation Officer. The Probation Officer recommended for grant of leave with escort. Accordingly, the prison authorities sanctioned 28 days ordinary leave to the prisoner with escort.

3. The learned counsel for the petitioner would submit that the family of the prisoner is not in a position to meet out the expenditures for escort. The son of the prisoner is going to get married and therefore, the



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Probation Officer found that the ordinary leave is essential for the prisoner.

4. Taking note of the fact that the prisoner has not involved in any prison offences while he was in actual imprisonment, 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 passed in proceeding No.203016/Tha.Ku.2/2024 dated 05.11.2024 is set aside. Consequently, the convict prisoner viz., Sarangabani, aged about 52 years, S/o.Subramani, bearing Convict No.7611, 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., Sarangabani, aged about 52 years, S/o.Subramani, bearing Convict No.7611, confined at Central Prison, Puzhal, for a period of **21 days, i.e., from 18.12.2024 till 07.01.2025.**



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(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 of leave, the convict prisoner shall report before the jurisdictional Police i.e. C-6 Mailam Police Station, Villupuram 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

Internet: Yes/No

Speaking order/Non-speaking order

Sni

To

1.The Deputy Inspector General of Prison,
Gandhi Irwin Road, Egmore,



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

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



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