



WEB COPY



W.P.No.36815 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.36815 of 2024

Deepa

... Petitioner

Vs.

The State rep. by its,
1.The Deputy Inspector General of Prison,
Coimbatore Zone,
Coimbatore.

2.The Superintendent,
Coimbatore Central Prison,
Coimbatore.

... 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 pertaining to the impugned order bearing No.16096/Tha.Ku-3/2024, dated 21.11.2024 passed by the 2nd respondent and quash the same and consecutively direct the 1st respondent to grant ordinary leave for 30 days without escort to the detenu, Dharma, S/o.Murugan, aged about 30 years, convict prisoner, Convict No.23070 and PID No.324772 from Central Prison, Coimbatore.



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For Petitioner : Mr.P.Bakiyaraj
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 21.11.2024, is under challenge in the present Writ Petition.

2. The prisoner is in imprisonment for 3 years, 11 months and 5 days. The leave application submitted by the prisoner was considered and leave was sanctioned with escort.

3. The learned counsel for the petitioner would submit that the prisoner is maintaining good contacts inside the prison and his family is not in a position to bear the expenses for escort.

4. The Probation Officer admittedly recommended the case of the



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prison for grant of leave.

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5. Further, the facts remain that the respondents have sanctioned ordinary leave for 21 days, there is no adverse remarks against the prisoner and that he has not suffered any prison punishment. While that being so, we are inclined to grant **21 days** ordinary leave to the convict prisoner.

6. Accordingly, the Writ Petition stands allowed and the impugned order dated 21.11.2024 is set aside. Consequently, the convict prisoner viz., Dharma, aged about 30 years, S/o.Murugan, bearing Convict No.23070 and PID No.324772, confined at Central Prison, Coimbatore, 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., Dharma, aged about 30 years, S/o.Murugan, bearing Convict No.23070 and PID No.324772, confined at Central Prison, Coimbatore, 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



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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. B-1 Town Police Station, Ramanathapuram District, everyday morning at 10.30 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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To



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1.The Deputy Inspector General of Prison,
Coimbatore Zone,
Coimbatore.

2.The Superintendent,
Coimbatore Central Prison,
Coimbatore.

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



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and
M.JOTHIRAMAN, J.

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