



W.P.No.35906 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.02.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S.RAMESH
AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

W.P.No.35906 of 2023

Amaravati

...Petitioner

VS.

1.The Superintendent,
Central Prison – I, Puzhal,
Chennai.

2. State rep by
Inspector of Police,
E4, Abiramapuram Police Station,
Chennai.
Cr.No.1352 of 2013

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus directing 1st respondent to grant ordinary leave for one month to Yesurajan, S/o Ariraman, Convict Prisoner No.8472.



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For Petitioner : Mr.G.Sriram
For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor
Assisted by
C.Aravind

ORDER

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

On the ground that the life convict's mother is seriously ill, the present writ petition has been filed.

2. The Probation Officer's Report also ratifies the reason assigned by the petitioner with regard to the life convict's mother's illness. Further more, in the Status Report given by the Probation Officer dated 05.01.2024, it is stated that the life convict is below the poverty line.

3. The learned Additional Prosecutor submits that there may be threat to the life convict. The Superintendent of Prisons, Palayankottai, has also circulated a letter dated 31.01.2024 stating that they are willing to provide necessary escort



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from their prison for the leave period of life convict. He further submits that the escort charges will be borne by the Government. The said submission is recorded.

4. We are of the view that if the life convict is temporarily transferred to Palayankottai Prison, which is closer to the life convict's mother's house at Kanyakumari and grant five days (5) days Ordinary Leave, the grievance of the petitioner may be redressed.

5. Accordingly, the following order is passed:-

(i) There shall be a direction to the respondents herein to forthwith temporarily transfer the life convict Yesurajan, S/o Ariraman, convict Prisoner No.8472 from the Central Prison-I, Puzhal to Central Prison, Palayankottai from 02.02.2024 till 09.02.2024.

(ii) The life convict Yesurajan is also granted Ordinary Leave from 03.02.2024 to 08.02.2024.

(iii) The life convict Yesurajan shall surrender before the Superintendent of Prisons, Palayankottai at 5.00 p.m on 08.02.2024.



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(iv) The Superintendent of Prisons, Payalankottai shall ensure that the life convict Yesurajan is re-transferred to Central Prison,-I, Puzhal on expiry of transfer period.

(v) 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.

6. The transfer order is being made only to facilitate the prison officials to provide escort to the prisoner from Palayankottai Prison, during the period of his leave.

7. The writ petition is ordered accordingly. No costs.

(M.S.R.,J.) (S.M.,J.)
01.02.2024

sr

Index:yes/no

Internet:yes/no

Note: Issue Order copy today



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To

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3. The Superintendent of Prisons,
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4. The Public Prosecutor,
High Court, Madras



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and
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