



WEB COPY



W.P.No.36843 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.12.2024

CORAM :

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

W.P.No.36843 of 2024

Rekha

... Petitioner

Vs.

1.The State represented by its,
The Secretary to the Government of Tamil Nadu,
Department of Home,
Fort St. George,
Chennai 600 009.

2.The Director Inspector General of Prison,
Chennai Range,
Egmore, Chennai - 600 008.

3.The Superintendent,
Central Prison I,
Puzhal - 600 066.

... 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 six days without escort to the detenue, Anand Babu, S/o.Mariya Selvam, aged about 39 years, Convict No.8136, detained at Central Prison, Puzhal - I.



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For Petitioner : Ms.K.Akshaya
For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

(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 to the prisoner, convict No.8136.

2.The petitioner submitted an application seeking emergency leave to the prisoner. The petitioner is the wife of the prisoner. The learned counsel for the petitioner would submit that the prisoner's younger brother marriage is scheduled on 05.12.2024. The copy of the marriage invitation has been enclosed in the typed set of papers in the present writ petition. The prisoner expressed his willingness to attend his brother's marriage along with his wife and children.

3.The learned Additional Public Prosecutor on instructions made a submission that the conduct of the prisoner inside the prison is satisfactory. He is in actual imprisonment for about five years.



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4. Taking note of the above facts and circumstances, we are inclined to grant three days emergency leave without escort to the prisoner commencing from today. Accordingly, the convict prisoner viz., **Anand Babu, S/o.Mariya Selvam, aged about 39 years, Convict No.8136, detained at Central Prison, Puzhal - I**, is hereby granted emergency leave without escort for a period of three days commencing from **04.12.2024** on the following conditions.

(i) Respondents are directed to release the Convict Prisoner viz., **Anand Babu, S/o.Mariya Selvam, aged about 39 years, Convict No.8136, detained at Central Prison, Puzhal - I**, on emergency leave without escort for a period of three days commencing from **04.12.2024**.

(ii) The Convict Prisoner shall be released on **04.12.2024** at 05.30 p.m. and surrender before the Superintendent, Central Prison, Puzhal - I on **07.12.2024** at 05.30 p.m.

(iii) The Convict Prisoner shall appear before the **H-1, Washermenpet Police Station, Chennai, everyday evening at 05.00 p.m.**, during the period of emergency leave.

(iv) The Convict Prisoner shall utilize the leave only for the ground on which it has been granted and shall not indulge in



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any other activities.

5. Accordingly, the writ petition stands **disposed of**. No Costs.

[S.M.S., J.]

[M.J.R., J.]

04.12.2024

Index: Yes/No

Speaking/Non-speaking order

sli

Note:

Registry is directed to issue the order copy on 04.12.2024.

To

1.The State represented by its,
The Secretary to the Government of Tamil Nadu,
Department of Home,
Fort St. George,
Chennai 600 009.

2.The Director Inspector General of Prison,
Chennai Range,
Egmore, Chennai - 600 008.

3.The Superintendent,
Central Prison I,
Puzhal - 600 066.

4.The Public Prosecutor,
Madras High Court,
Chennai - 104.



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AND
M.JOTHIRAMAN, J.

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