



WEB COPY



W.P.No.37750 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.12.2024

CORAM :

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

W.P.No.37750 of 2024

Tamilarasi

... Petitioner

Vs.

1. The State Rep By Its
The Secretary To Government Of Tamilnadu ,
Prison Department-IV,
Fort St.george
Chennai-600 009

2 The Deputy Inspector Of General Of Prison,
Coimbatore Range,
Coimbatore Central Prison,
Coimbatore-641 018

3 The Superintendent,
Coimbatore Central Prison,
Coimbatore-641 018

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order bearing No.14201/Tha.Ku.3/2024 dated 04.11.2024 passed by the 2nd respondent and quash the same and



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consecutively direct the respondents to grant ordinary leave for 28 days without escort to detenu Ajith @ Ajith kumar S/o.Thangaraj, aged about 28 years convict No.20459 (PID No.41636), confined at Central prison, Coimbatore.

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

ORDER

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

The respondents granted ordinary leave for 28 days to the prisoner by an order dated 04.11.2024 with escort. Thus, the present writ petition came to be instituted.

2. The learned counsel for the petitioner would submit that the prisoner availed ordinary leave on an earlier occasion without escort pursuant to the orders of this Court.

3. The learned Additional Public Prosecutor would oppose by stating that the Inspector of Police, Singanallur Police Station, has submitted a report stating that there is likelihood of life threat to the prisoner in the said place.



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4. The fact remains that the prisoner has already availed ordinary leave without escort from 22.03.2024 to 18.04.2024 as per the orders of this Court dated 19.03.2024 in W.P.No.6398 of 2024.

5. Accordingly, the impugned order granting leave in No.14201/Tha.Ku.3/2024 dated 04.11.2024 issued by the 2nd respondent stands modified to the extent that ordinary leave of 28 days is granted without escort and the convict prisoner viz., Ajith @ Ajith kumar S/o.Thangaraj, aged about 28 years, convict No.20459 (PID No.41636), confined at Central prison, Coimbatore, is hereby granted ordinary leave for a period of 28 days, without escort commencing from **24.12.2024** on the following conditions:-

(i) Respondents are directed to release the Convict Prisoner viz., Ajith @ Ajith kumar S/o.Thangaraj, aged about 28 years, convict No.20459 (PID No.41636), confined at Central prison, Coimbatore, on Ordinary Leave for a period of **28 days i.e., from 24.12.2024 to 20.01.2025.**

(ii) The Convict Prisoner shall be released on **24.12.2024** at 10.00 am and surrender before the Central Prison, Coimbatore, on **20.01.2025** at 05.00 p.m.

(iii) The Convict Prisoner is directed to report before the Inspector of Police, E-1 Singanallur Police Station, Coimbatore, twice in a week, i.e., on Monday and Thursday at 11.00 a.m.,



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during the period of leave.

(iv) 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. Accordingly, the writ petition stands allowed. No Costs.

[S.M.S., J.]

[M.J.R., J.]

18.12.2024

Index: Yes/No

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Speaking/Non-speaking order

mrp

To

1. The Secretary To Government Of Tamilnadu ,
Prison Department-IV,
Fort St.george
Chennai-600 009
- 2 The Deputy Inspector Of General Of Prison,
Coimbatore Range,
Coimbatore Central Prison,
Coimbatore-641 018
- 3 The Superintendent,
Coimbatore Central Prison,
Coimbatore-641 018
4. The Public Prosecutor,
High Court of Madras.



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AND
M.JOTHIRAMAN, J.

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