



WEB COPY



W.P.No.38148 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.38148 of 2024

Govindammal

... Petitioner

Vs.

1. The State Of Tamil Nadu,
Represented By Its Secretary,
Home Department,
Fort St. George, Chennai 600 009

2 The Deputy Inspector General Of Prisons,
Chennai Range, Egmore,
Chennai - 600 008

3 The Superintendent Of Central Prison,
Central Prison, Puzhal,
Chennai 600 066

... 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 made in No. 405034 / Tha. Ku. 2 / 2024 dated 19.10.2024 passed by the Superintendent of Central Prison, Puzhal, Chennai -66, the Third Respondent herein and quash the same as illegal and direct the Respondents to grant 10 days emergency leave to the Lifer T. Suresh now confined at Central Prison, Puzhal -1, chennai 66.



W.P.No.38148 of 2024

For Petitioner : Mr. A. Sivakumar @ Sivaaji
For Respondents : Mr.R.Muniyapparaj,
Additional Public Prosecutor

ORDER

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

The order of rejection rejecting the emergency leave application submitted by the petitioner is under challenge in the present writ proceedings.

2. The prisoner is in actual imprisonment for 9 years and one month. Thus, he is eligible to avail ordinary leave as per the Suspension of Sentence Rules. The Probation Officer has recommended the case of the prisoner for grant of ordinary leave. On an earlier occasion, the prisoner availed ordinary leave without escort. The conduct of the prisoner inside the prison is found to be satisfactory and in the impugned order of rejection, the respondents states that the reason stated by the petitioner is incorrect. For all these reasons, we are inclined to consider the present writ petition.

3. Accordingly, the impugned order dated 19.10.2024 passed by the 3rd respondent in No. 405034 / Tha. Ku. 2 / 2024 is quashed and convict



W.P.No.38148 of 2024

prisoner viz., Mr.T.Suresh, S/o. Thirunavukkarasu(late), Life convict prisoner no.6380 (PID 37600), confined at Central Prison-I, Puzhal, Chennai, is hereby granted Emergency Leave for a period of **six days**, without escort commencing from **24.12.2024** on the following conditions:-

(i) Respondent is directed to release the Convict Prisoner viz., Mr.T.Suresh, S/o. Thirunavukkarasu(late), Life convict prisoner no.6380 (PID 37600), confined at Central Prison-I, Puzhal, Chennai, on Emergency Leave without escort for a period of **6 days commencing from 24.12.2024**.

(ii) The Convict Prisoner shall be released on **24.12.2024** at 10.00 am and surrender before the Central Prison-I, Puzhal, Chennai, on **29.12.2024** at 05.30 p.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.

4. Accordingly, the writ petition stands allowed. No Costs.

[S.M.S., J.]

[M.J.R., J.]

18.12.2024

Index: Yes/No

Speaking/Non-speaking order

mrp



W.P.No.38148 of 2024

S.M.SUBRAMANIAM, J.
AND
M.JOTHIRAMAN, J.

mrp

To

1. The Secretary,
State Of Tamil Nadu,
Home Department,
Fort St. George, Chennai 600 009
- 2 The Deputy Inspector General Of Prisons,
Chennai Range, Egmore,
Chennai - 600 008
- 3 The Superintendent Of Central Prison,
Central Prison, Puzhal,
Chennai 600 066
4. The Public Prosecutor,
High Court of Madras.

W.P.No.38148 of 2024

18.12.2024