



WEB COPY



W.P.No.38097 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.12.2024

CORAM :

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE M.JOTHIRAMAN

W.P.No.38097 of 2024

Soundari

W/o Elumalai

..

Petitioner

v.

1. The State represented by its
The Deputy Inspector General of Prison
Gandhi Irwin Road
Egmore, Chennai 600 008

2. The Superintendent
Puzhal Central Prison-I
Puzhal 600 066

..

Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, to call for the records connected with impugned order in proceeding No.330014/Tha.Ku.2/2024 dated 25.11.2024 passed by the second respondent and quash the same and directing the respondents to grant ordinary leave for 21 days without escort to the detenu Elumalai, S/o Munusamy, aged about 46 years, bearing Convict No.8269, confined at Central Prison-I, Puzhal.



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For Petitioner :: M/s S.Sadhana

For Respondents :: Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

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

The prisoner is in actual imprisonment for about four years and two months. Ordinary leave for 21 days was granted by the Superintendent of Prison with escort. The learned counsel for petitioner would submit that the family of the prisoner is unable to meet out the escort expenses. Thus the petitioner has filed the present writ petition.

2. The learned Additional Public Prosecutor would submit that the conduct of the prisoner inside the prison is found to be satisfactory. The Probation Officer also recommended the case of the prisoner for grant of ordinary leave. Considering the facts and circumstances, we are inclined to pass the following order:-

- (i) The impugned order passed by the 2nd respondent dated 25.11.2024 granting 21 days ordinary leave with escort, stands modified to the extent that the prisoner, namely, Elumalai, S/o Munusamy, aged about



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46 years, Convict No.8269, is granted 21 days ordinary leave without escort.

(ii) The leave shall commence from 24.12.2024 10.30 A.M., and the prisoner shall surrender before the second respondent by 5.30 P.M., on 13.01.2025.

(iii) The prisoner shall appear before the J-2, Adyar Police Station, Chennai twice in a week i.e., on every Monday and Thursday at 10.30 A.M., during the period of leave.

The writ petition stands allowed on the above terms. No costs.

Index : yes/no

Neutral citation : yes/no

ss

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

19.12.2024

To

1. The Deputy Inspector General of Prisons
Gandhi Irwin Road
Egmore, Chennai 600 008
2. The Superintendent of Prisons
Central Prison-I, Puzhal, Chennai 600 066
3. The Inspector of Police
J-2, Adyar Police Station
Chennai
4. The Public Prosecutor
High Court, Madras



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S.M.SUBRAMANIAM,J.

AND

M.JOTHIRAMAN,J.

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