



WEB COPY



W.P.No.39361 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.12.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

W.P.No.39361 of 2024

A.Dhanalakshmi

... Petitioner

Vs.

- 1.The State represented by
The Secretary to Government,
Department of Home (Prison),
Fort St. George,
Chennai – 600 009.
- 2.The Additional Director General of Prison /
Inspector General of Police,
Department of Prison,
Thalamuthu Building, CMDA Tower – 2,
Egmore, Chennai – 600 008.
- 3.The Director General of Prison,
Vellore Zonal Prison Department,
Vellore District – 632 002.
- 4.The Superintendent of Prison,
Central Prison,
Cuddalore – 607 003.

... Respondents



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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 ordinary leave for 20 (twenty) days for the detinue Azhagar @ Valarndha Azhagar, S/o.Perumal, aged about 50 years, Convict No.16749 detained at Central Prison, Cuddalore.

For Petitioner : Mr.S.Hariprasad

For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

[Order of the Court is made by **S.M.SUBRAMANIAM, J.**]

The writ petition has been instituted seeking leave due to the demise of the father-in-law of the prisoner, which occurred on December 19, 2024, at 12.27 A.M.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.



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3. The writ petitioner is the spouse of the convict prisoner, who has completed twenty three years of actual imprisonment.

4. Considering the petitioner's request to attend the funeral ceremony of the prisoner's father-in-law, we are inclined to grant Emergency Leave for a period of three (3) days with escort, on the following conditions:

- (1) The respondents are directed to release the Convict Prisoner viz., Mr.Azhagar @ Valarndha Azhagar, S/o.Perumal, Convict No.16749, confined at Central Prison, Cuddalore, on Emergency Leave for a period of three (3) days with escort i.e., from 19.12.2024 to 22.12.2024.
- (2) The Convict Prisoner shall be released on 19.12.2024 at 05.30 P.M. and surrender before the Superintendent of Prisons, Central Prison, Cuddalore, on 22.12.2024 at 05.30 P.M.
- (3) During the leave period, the Convict Prisoner shall abide by all the conditions prescribed in the Jail Manual.
- (4) 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.



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5. With the above directions, this Writ Petition stands disposed of. No

costs.

[S.M.S., J.] [M.J.R., J.]
19.12.2024

Index : Yes

Neutral Citation : Yes

Speaking order / Non-speaking order

Jeni

Note: Registry is directed to issue order copy on 19.12.2024.

To

1.The Secretary to Government,
The State represented by
Department of Home (Prison),
Fort St. George,
Chennai – 600 009.

2.The Additional Director General of Prison /
Inspector General of Police,
Department of Prison,
Thalamuthu Building, CMDA Tower – 2,
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4.The Superintendent of Prison,
Central Prison,
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5.The Additional Public Prosecutor,
Madras High Court.



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M.JOTHIRAMAN, J.

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