



W.P.(MD) No.12057 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.06.2024

CORAM:

**THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

W.P.(MD) No.12057 of 2024

Karthiga

... Petitioner

-VS-

- 1.The Principal Secretary to Government,
Home, Prohibition & Excise (Prison-IV),
Fort St. George, Chennai-600 009.
- 2.The Director General of Prisons,
O/o. Tamil Nadu Prisons Headquarters,
Whannels Road,
Egmore, Chennai-600 008.
- 3.The Deputy Inspector of General of Prisons,
Madurai Range,
Central Prison Campus,
Madurai-625 016.
- 4.The Superintendent of Prisons,
Central Prison,
Madurai-625 016.

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus directing the respondents herein to extend the ordinary leave granted by this Court in W.P.(MD) No.8752 of 2024, dated 25.04.2024 and grant further period of 10 days ordinary leave with police escort to petitioner's brother Selvakumar, son of Pandithevar (C.P.No.6029), confined at Central Prison, Madurai forthwith by considering the petitioner's representation dated 06.06.2024.

For Petitioner : C.Karthikeyan

For Respondents : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor

ORDER

[Order of the Court was made by A.D.JAGADISH CHANDIRA, J.]

This petition has been filed seeking to extend the ordinary leave granted to the petitioner's brother by this Court by order dated 25.04.2024 in W.P.(MD) No.8752 of 2024 for a further period of 10 days.



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2. It is the case of the petitioner that her brother Selvakumar, son of Pandithevar was granted ordinary leave by this Court by order dated 25.04.2024 and he was allowed to go along with the escort. While he was in leave, his mother, Parvathi, aged about 72 years fell sick and she is suffering from Anemia along with mildly altered renal function and also suffering with dementia along with behavioural changes and the MRI brain shows degenerative changes and thereby being her son, the petitioner sought for extension of leave to her brother.

3. We enquired the learned Additional Public Prosecutor, who would submit that the petitioner's brother has been granted ordinary leave with escort on 30.05.2024 and he should surrender back on 08.06.2024. However, he submits that during the period of leave, the petitioner's brother has not been brought to any adverse notice. He would also submit that the petitioner's brother having completed five years of sentence, is entitled for 28 days of leave.

4. Taking into consideration the request of the petitioner, this Court is inclined to pass the following order:



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WEB COPY (i) This Writ Petition is allowed.

(ii) The leave granted by virtue of order dated 25.04.2024 to the convict prisoner, namely, Selvakumar (C.P.No.6029) is further extended for a period of 10 days from 08.06.2024 to 18.06.2024 with escort.

(iii) The escort charges shall be borne by the petitioner and if necessary, the same shall be adjusted from the income earned by the convict prisoner during the imprisonment period.

(iv) The convict prisoner shall report back to the Superintendent of Prison, Central Prison, Madurai / fourth respondent on expiry of the leave period without fail.

(v) The petitioner shall produce all necessary documents, along with a copy of this order, before the jail authorities.

(vi) During the leave period, the convict prisoner shall abide by all the conditions prescribed in the Jail Manual and as per the undertaking that he shall not indulge in any other activities other than the purpose for which the



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leave is sought for and he shall not give interview in any media including social media.

(vii) No costs.

[A.D.J.C., J.] [K.R.S., J.]
07.06.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
abr

Note: Issue copy by 07.06.2024

To:

- 1.The Principal Secretary to Government,
Home, Prohibition & Excise (Prison-IV),
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AND
K.RAJASEKAR, J.
abr

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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