



WMP(MD) No.11130 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Wednesday, the Twelfth day of June Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA
and
The Hon`ble Mr.Justice K. RAJASEKAR

WMP(MD) No.11130 of 2024
IN
WP(MD) No.8962 of 2024

V.MANORANJITHAM

... Petitioner

Vs

1 THE HOME SECRETARY
HOME DEPARTMENT (PRISON),
SECRETARIAT,
FORT ST.GEORGE,
CHENNAI 600 009

2 THE DIRECTOR GENERAL OF PRISON
AND INSPECTOR GENERAL OF PRISON,
WHANNELS ROAD,
EGMORE,
CHENNAI 08

3 DEPUTY INSPECTOR OF GENERAL,
DEPARTMENT OF PRISONS AND CORRECTIONS,
MADURAI SARAGAM,
MADURAI



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4 THE SUPERINTENDENT OF PRISON
MADURAI CENTRAL PRISON,
MADURAI DISTRICT

... Respondents

Writ Miscellaneous Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to direct the 4th respondent to grant 7 days of Interim Leave to enlarge the petitioner's husband Veerakumar, S/o. Thamilan, (Conviction No.1265) pending disposal of the WP (MD) No.8692 of 2024.

Prayer in WP(MD). 8962/ 2024 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records relating to the proceedings of the 3rd and 4th respondents in No. 239/U.Tha.2/2024 dated 06.03.2024 and quash the same and direct the 3rd and 4th respondent to enlarge the petitioner's husband Veerakumar, S/o.Thamilan, (Conviction No. 1265) to grant one month leave without escort, confined at Central Prison Madurai.

ORDER : This writ miscellaneous petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.G.MURUGENDRAN, Advocate for the petitioner and of Mr.A.THIRUVADI KUMAR, Additional Public Prosecutor on behalf of the Respondents, the Court made the following order:-

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

This Petition is filed seeking to direct the fourth respondent to grant 7 days of interim leave to enlarge the petitioner's husband Veerakumar, S/o.Tamilan (Conviction No.1265).

2. The learned counsel appearing for the petitioner would submit that the petitioner has filed the writ petition in W.P(MD)No.8962 of 2024 challenging the rejection of the fourth respondent in pursuant to leave (Parole) and the same is



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pending before this Court. Pending writ petition, the petitioner has filed the present Miscellaneous Petition seeking to grant leave for 7 days due to the family function of the puberty ceremony of her daughter, dated 17.06.2024.

3. The learned Additional Public Prosecutor appearing for the respondents would submit that it is true that the puberty function of his daughter is fixed on 17.06.2024, however, since the appeal is pending he may not be eligible for leave.

4. Though it is stated that the pendency of appeal is the ground for not granting leave, it will not denude the powers of this Court to grant emergency leave.

5. Taking into consideration of the request of the petitioner and taking into sympathetic and humanitarian consideration, this Court is inclined to direct the fourth respondent to grant emergency leave for 3 days to the jail inmate with escort.

6. In the result,

(i) The petition is allowed.

(ii) The convict prisoner, namely, Veerakumar, S/o.Thamilan (Conviction No.1265) shall be granted emergency leave for a period of three (3) days from 16.06.2024 to 18.06.2024 with escort.

(iii) He shall report back to the Superintendent of Prison, Central Prison, Madurai/ fourth respondent by 10.00 a.m., on 19.06.2024.



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(iv) Two escorts shall be provided to accompany the convict prisoner.

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

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

(vii) During the leave period, the convict prisoner shall abide by all the conditions prescribed in the jail manual.

(viii) No costs.

sd/-
12/06/2024

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14/06/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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To

1 THE HOME SECRETARY
HOME DEPARTMENT (PRISON),
SECRETARIAT,
FORT ST.GEORGE,
CHENNAI 600 009



WMP(MD) No.11130 of 2024

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4 THE SUPERINTENDENT OF PRISON
MADURAI CENTRAL PRISON,
MADURAI DISTRICT

5 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

+1 CC to M/s.G.MURUGENDRAN, Advocate (SR-6437[I] dated 13/06/2024)

ORDER
IN
WMP(MD) No.11130 of 2024
IN
WP(MD) No.8962 of 2024
Date :12/06/2024

ED/ /SAR- (14/06/2024) 5P / 7C

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