



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Monday, the Eighteenth day of November Two Thousand and Twenty Four

PRESENT

The HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

AND

The HONOURABLE MR. JUSTICE K. RAJASEKAR

WMP(MD). No.16185 of 2024

in

WP(MD).NO.11933 of 2024

S.Lakshmi

... Petitioner

Vs

1.The State Represented by Its

The Secretary to the Government of

Tamil Nadu

Department of Home,

Fort St. George,

Chennai 600 009

2.The Director Inspector General of Prison

Trichy Range,

Trichy Central Prison

Trichy 620 020

3.The Superintendent,

Trichy Central Prison,

Trichy 620 020

... Respondents

Prayer :-

Writ Miscellaneous Petition filed Under Article 226 of the Constitution of India praying to modify the condition 1 in the order passed by the 2nd respondent bearing Moo.Mu.No.106/Mu.Vu/2024 dated 07.06.2024 to the detinue, V.Verapathiran, S/o. Veerasamy, aged about 36 years, Convict No. 21686, detained at Central Prison, Trichy as without escort.



Prayer in WP(MD). 11933/ 2024 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to grant ordinary leave for 30 days without escort to the detenu, V.Verapathiran, S/o. Veerasamy, aged about 36 years, Convict No. 21686, detained at Central Prison, Trichy.

ORDER:- This Writ Miscellaneous Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/s.K.Akshaya, Advocate for the Petitioner and of Mr.A.Thiruvadikumar, Additional Public Prosecutor for the respondents, this Court made the following order:

This petition has been filed seeking to modify the condition imposed by the second respondent in Moo.Mu.No/106/Mu.Vu/2024 dated 07.06.2024 to the detenu V.Veerapathiran, S/o. Veerasamy, aged about 36 years, Convict No.21686, detained at Central Prison, Trichy as without escort.

2. Learned counsel for the petitioner submitted that the writ petition in W.P. (MD)No.11933 of 2024 was filed seeking a direction to the respondents to grant ordinary leave for 30 days without escort to the above detenu, and the writ petition was closed by order dated 12.6.2024 recording the submission of the learned Additional Public Prosecutor that the detenu was granted the leave by order dated 7.6.2024, however, such grant of leave was only “with escort” and the detenu, being unable to bear the cost of escort charges due to his indigent position, could not be benefited by the grant of leave and hence pray for modification of such condition.



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3. In this regard, the learned Additional Public Prosecutor submitted that if the petitioner is unable to bear the escort charges, it will not be insisted in advance and it will be adjusted only from the income earned by the convicted prisoner during the imprisonment period.

4. Having heard the learned counsel for the petitioner and the learned Additional Public Prosecutor and the grievance expressed on behalf of the detenu, it is hereby directed that the grant of leave to the detenu shall be “without escort” however, the petitioner shall report before the Vaangal Police Station, Karur, daily at 10.30 a.m during such leave period. It is made clear that the other conditions imposed remain unaltered.

The writ miscellaneous petition is ordered accordingly.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/12/2024

Sub Assistant Registrar
(CS-1/II/III/IV)

TO

1.The Secretary to the Government of
Tamil Nadu
Department of Home,
Fort St. George, Chennai 600 009

<https://www.mhc.tn.gov.in/judis>



2.The Director Inspector General of Prison
Trichy Range,
Trichy Central Prison
Trichy 620 020

3.The Superintendent,
Trichy Central Prison,
Trichy 620 020

4.The Inspector of Police,
Vaangal Police Station,
Karur.

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

ORDER DATED : 18/11/2024

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ORDER

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WMP(MD). No.16185 of 2024
in
WP(MD).NO.11933 of 2024

Giving direction and etc.
as stated within.

BV (06/12/2024) 4P/ 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.