



**W.P(MD) No.19456 of 2024**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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**Date : 14.08.2024**

**CORAM**

**THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN  
and  
THE HON'BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD**

**W.P(MD) No.19456 of 2024  
and  
W.M.P(MD)No.16526 of 2024**

Santhi

... Petitioner

**Vs**

1.The State Represented by its,  
The Secretary to Government of Tamil Nadu,  
Home Department,  
Fort St.George,  
Chennai - 600 009.

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



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3. The Superintendent,

Central Prison,

Trichy - 620 020.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the Impugned Order bearing No. RO-TRY/258/2024, dated 23.07.2024, passed by the 2<sup>nd</sup> respondent and quash the same and consecutively direct the respondents to grant ordinary leave for 30 days without escort to Aravind, S/o.Raj, aged about 26 years, life Convict No.23922, detained at Central Prison, Trichy.

For Petitioner : Ms.K.Akshaya

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

### **ORDER**

The Writ Petition has been filed in the nature of a Certiorarified Mandamus seeking records of an order, dated 23.07.2024 of RO-TRY/258/2024 passed by the second respondent, Deputy Inspector General of Prison, Trichy Range, Trichy Central Prison and quash the same and direct the respondents to grant ordinary leave for 30



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days without escort to the son of the petitioner, Aravind, who is the life  
Convict No.23922 and detained at Central Prison, Trichy.

2. The reason sought for such leave is to arrange marriage of his sister and also owing to various medical issues which the petitioner/his mother is facing. It is stated that sister had completed her B.E., and working in Chennai. The parents are old, and are also facing economic difficulties and therefore, the petitioner is of the opinion that the presence of her son would be advantageous to arrange a suitable groom for her daughter.

3. Quite apart from that particular fact, it is also stated that the petitioner herself is taking treatment for dizziness and the Doctor had opined that series of test will have to be done. At this time, she is of the opinion that the presence of her son would be of much assistance to her.

4. A report had been forwarded on behalf of the respondents and it is stated that the appeal filed against the judgment of the trial Court in CrI.A.(MD)No.504 of 2022, is still pending.



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5. A report had been forwarded by Mr.A.Thiruvadikumar, learned Additional Public Prosecutor, from the Probation Officer who had examined the reasons given and had confirmed that the sister of the detenu/ convict prisoner requires to be married and also about the illness of the petitioner herein.

6. It is also seen from the records that 3 days had already been given as a leave on the earlier occasion. Balancing all the factors, we would grant eleven (11) days ordinary leave to the petitioner herein from 19.08.2024 to 29.08.2024.

7. Accordingly, this writ petition is allowed and the convict prisoner is granted ordinary leave for eleven (11) days with escort on the following conditions:-

(a)The detenu/life convict, Mr.Aravind, S/o.Raj, aged 26 years, [Convict No.23922], now detained in the Central Prison, Trichy, is granted ordinary leave for eleven (11) days from 19.08.2024 to 29.08.2024.

(b)The detenu shall be released from the prison at



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10.00 a.m., on 19.08.2024 and he shall return back to the prison at 7.00 p.m., on 29.08.2024.

(c)The third respondent is directed to provide minimum escort to the convict from the Central Prison at the time when he leaves the prison and till such time, he is taken back to the prison. It is clarified that the cost involved in providing escort shall be borne by the petitioner.

Consequently, connected miscellaneous petition is closed.

8. We are confident that whoever is appointed as an escort would permit the convict prisoner to move around for the purpose for which the leave has been granted namely, to arrange a groom for his sister and also for the medical condition of his mother.

**(C.V.K., J.)      (J.S.N.P, J.)**  
**14.08.2024**

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

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To  
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1. The Secretary to Government of Tamil Nadu,  
Home Department,  
Fort St.George,  
Chennai - 600 009.
2. The Deputy Inspector General of Prison, Trichy Range,  
Trichy  
Central Prison,  
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3. The Superintendent,  
Central Prison,  
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4. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**C.V.KARTHIKEYAN, J.**  
**and**  
**J.SATHYA NARAYANA PRASAD, J.**

RM

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