



W.P(MD) No.19990 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.08.2024

CORAM:

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

W.P(MD) No.19990 of 2024

Subramani

... Petitioner

Vs

1. The Principal Secretary to Government,
Home, Prohibition and Excise (Prison-IV) Department,
Fort St. George,
Chennai – 600 009.

2. The Director General of Prisons,
O/o. Tamilnadu Prisons Headquarters,
Whannels Road,
Egmore,
Chennai – 600 008.

3. The Deputy Inspector General of Prisons,
Trichy Range,
Race Course Road,
Trichy – 620 023.

4. The Superintendent of Prisons,
Central Prison,
Trichy – 620 020.

... Respondents



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PRAYER: Writ Petition, 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 Impugned order passed by the 3rd respondent vide his proceedings Moo.Mu.No. 106/ Mu.Vu/2024, dated 25.07.2024 an quash the same as illegal and void, consequently grant 28 days ordinary leave without police escort to petitioner's brother Dhanabal, S/o. Kannaiyan (Convict Prisoner No. 16957) confined at Central Prison, Tiruchirappalli, forthwith by considering petitioner's representation, dated 03.06.2024

For Petitioner : Mr.C.Karthikeyan

For Respondents : Mr.A.Thiruvadi Kumar

Additional Public Prosecutor

ORDER

The writ petition has been filed in the nature of Certiorarified Mandamus questioning one portion of the order, dated 25.07.2024 in Moo.Mu.No.106/Mu/Vu/2024 passed by the 3rd respondent/Deputy Inspector General of Prisons, Trichy.

2.In the affidavit filed by the petitioner it had been stated that though 28 days ordinary leave has been granted consequent to the representation given by the petitioner, the 3rd respondent had granted such leave with escort.



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3.It had been stated that the petitioner had been suffering incarceration for nearly about 16 years and there has been no adverse report relating to his conduct. A report has also been forwarded from the Superintendent of Police that escort is being directed to be provided out of abundant caution, since the family members of the deceased are residing in close proximity. However taking into consideration the long period of incarceration, we modify the impugned order granting leave of 28 days without escort, however, with a condition that the petitioner shall sign before the Inspector of Police, Somarasanpettai Police Station, Trichy District, everyday at 10.30a.m., during the period of leave.

4.With the above modification, this writ petition stands disposed of.

(C.V.K., J.) (J.S.N.P, J.)
21.08.2024

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



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Madurai Bench of Madras High Court,
Madurai.



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

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ORDER MADE IN
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