



WMP(MD) No.17654 of 2024

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

Monday, the Second day of September Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice C.V.KARTHIKEYAN
and
The Hon`ble Mr.Justice J.SATHYA NARAYANA PRASAD

WMP(MD) No.17654 of 2024
IN
WP(MD) No.17979 of 2024

UMAGANDHI

... Petitioner / Petitioner

Vs

THE SUPERINTENDENT OF PRISONS
CENTRAL PRISON,
TRICHY DISTRICT 620 020

... Respondent / Respondent

Writ Miscellaneous Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to extend the ordinary leave already granted by this Honourable Court in W.P(MD).No.17979 of 2024 dated 14.08.2024 and grant ordinary leave for further period of 6 days without police escort to petitioners husband A.K.Subbu 2 Subramanian S/o.Krishnasamy (Convict Prisoner No.23386) lodged at Central Prison, Trichy Forthwith by considering petitioners representation dated 15.07.2024.

Prayer in WP(MD). 17979/ 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 impugned order passed by the respondent vide her proceedings in No.11564/ThaKu.4/2024 dated 19.07.2024 and quash the same as illegal and void, consequently direction may be issued to the respondent to grant 15 days emergency



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leave without escort to petitioners husband A.K.Subbu @ Subramanian, S/o.Krishnasamy (Convict Prisoner No.23386), lodged at Central Prison, Trichy who temporarily admitted at Government Headquarters Hospital, Tiruchirappalli forthwith.

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. KARTHIKEYAN. C, Advocate for the petitioner and of Mr.T.SENTHIL KUMAR, Additional Public Prosecutor, on behalf of the Respondent, the court made the following order:-

This Writ Miscellaneous Petition has been filed seeking to extend the ordinary leave for a further period of 6 days, which has been granted to the husband of the petitioner, A.K.Subbu @ Subramanian, Convict Prisoner No.23386, confined at Central Prison, Trichy, for 15 days, by this Court vide order dated 14.08.2024, passed in W.P(MD) No.17979 of 2024. That particular period expires today.

2. This Writ Miscellaneous Petition has been filed seeking extension of the leave period for a further period of 6 days.

3. Mr.T.Senthil Kumar, learned Additional Public Prosecutor raised objections stating that husband of the petitioner is not entitled for continuous extension.

4. However, it is contended on behalf of the Writ Petitioner that a surgery is scheduled on the husband of the petitioner and therefore, 6 days alone is required to recuperate from the said surgery.



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5. Taking into consideration all these factors, the writ Miscellaneous Petition stands allowed and leave granted on 14.08.2024 is further extended for a period of 6 days from 03.09.2024 to 08.09.2024 as follows:

(a)The detenu, A.K.Subbu @ K.Subramanian, S/o.Krishnasamy, [Convict No.23386], now detained in the Central Prison, Trichy, is granted further leave for six (06) days from 03.09.2024 to 08.09.2024.

(b)The detenu shall return back to the prison at 7.00 p.m., on 08.09.2024.

sd/-
02/09/2024

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02/09/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

RM

To

1.The Superintendent of Prisons,
Central Prison,
Trichy District 620 020.

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



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The Inspector of Police,
Edamalaipatti Pudur Police Station,
Trichy.

ORDER
IN
WMP(MD) No.17654 of 2024
IN
WP(MD) No.17979 of 2024
Date :02/09/2024

ED/ /SAR- (02/09/2024) 4P /4 C

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