



WMP(MD) No.19400 of 2024

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

Wednesday, the Twenty Fifth day of September Two Thousand and Twenty Four
PRESENT

**THE HON'BLE MR JUSTICE C.V. KARTHIKEYAN
AND
THE HON'BLE MS.JUSTICE R. POORNIMA**

WMP(MD) No.19400 of 2024
IN
WP(MD) No.20134 of 2024

SUDHA

... PETITIONER/PETITIONER

Vs

1 THE PRINCIPAL SECRETARY TO GOVERNMENT,
HOME, PROHIBITION AND EXCISE
(PRISON-IV) DEPARTMENT,
FORT ST. GEORGE,
CHENNAI - 600009.

2 THE DIRECTOR GENERAL OF PRISONS,
O/O. TAMILNADU PRISONS HEADQUARTERS,
WHANNELS ROAD, EGMORE,
CHENNAI - 600008.

3 THE DEPUTY INSPECTOR GENERAL
OF PRISONS, TRICHY RANGE,
RACE COURSE ROAD,
TRICHY - 620023.

4 THE DEPUTY INSPECTOR GENERAL OF PRISONS,
COIMBATORE RANGE,
CENTRAL PRISON,
COIMBATORE - 641018.



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5 THE SUPERINTENDENT OF PRISONS
CENTRAL PRISON,
TRICHY - 620020.

6 THE SUPERINTENDENT OF PRISONS
CENTRAL PRISON,
COIMBATORE - 641018.

... RESPONDENTS/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 extend the ordinary leave granted by this Honble Court in W.P.(MD).No. 20134 of 2024 dated 22.08.2024 and grant further 10 days ordinary leave without police escort to the petitioners husband Murugapandian, son of Komban, Convict No. 22593 (Now temporarily confined at Central Prison, Tiruchirappalli in ENR No. 688) forthwith.

Prayer in WP(MD). 20134/ 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 6th respondent vide his proceedings in No. 5472/Tha Ku3/2024 dated 02.08.2024 and quash the same as illegal and void consequently direct the respondents to grant 40 days ordinary leave without police escort to the petitioners husband Murugapandian, son of Komban, Convict No. 22593 (Now at Central Prison, Tiruchirappalli in ENR No. 688) forthwith by considering petitioners representation dated 22.07.2024

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.C.KARTHIKEYAN, Advocate for the petitioner and of Mr.A.THIRUVADIKUMAR, Additional Government Pleader on behalf of the Respondents 1 TO 6, the Court made the following order:-

This Court in the main writ petition (W.P(MD) No.20134 of 2024) vide order, dated 22.08.2024 had granted 30 days ordinary leave to the husband of the petitioner, without escort, on the following conditions:



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“(a)The detenu, Murugapandian, S/o.Komban [Convict Prisoner No.22593], now detained in the Central Prison, Tiruchirappalli, is granted ordinary leave for thirty (30) days from 28.08.2024 to 26.09.2024.

(b) During the said leave period, he shall report before the Inspector of Police, Manur Police Station, Tirunelveli District, everyday at 10.30 a.m., and 05.30 p.m., without fail.

(c)The detenu shall be released from the prison at 10.00 a.m., on 28.08.2024 and he shall return back to the prison at 06.00 p.m., on 26.09.2024.

(d) *During the leave period, the convict prisoner shall abide by all the conditions prescribed in the Jail Manual.”*

2.The learned counsel for the petitioner submitted that aforesaid period of leave expires on 26.09.2024. The object for which the leave was granted is to undertake repair works in the dwelling house of the petitioner. Now, the said repair work has not yet been completed and the repair work is going on. In this regard, a few photographs have been annexed along with the petition.

3.We are also heard the learned Additional Public Prosecutor on behalf of the respondent.



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4.The petitioner is entitled for ordinary leave for total period of 40 days.

We had already granted 30 days ordinary leave from 28.08.2024 to 26.09.2024. Considering the both side submissions, the said leave is further extended to the husband of the petitioner Murugapandian, S/o.Komban [Convict Prisoner No.22593], Central Prison, Tiruchirappalli for a period of 10 days from 27.09.2024 to 06.10.2024 with the same conditions as imposed earlier by this Court on 22.08.2024 as follows:

“(a)The ordinary leave already granted to the detenu, Murugapandian, S/o.Komban [Convict Prisoner No.22593], Central Prison, Tiruchirappalli is extended for further period of ten days from 27.09.2024 to 06.10.2024, without escort.

(b) During the said leave period, he shall report before the Inspector of Police, Manur Police Station, Tirunelveli District, everyday at 10.30 a.m., and 05.30 p.m., without fail.

(c)The detenu shall return back to the prison at 06.00 p.m., on 06.10.2024.

(d) During the leave period, the convict prisoner shall abide by all the conditions prescribed in the Jail Manual.”



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allowed.

6. With the above directions, this writ miscellaneous petition stands

sd/-
25/09/2024

/ TRUE COPY /

25/09/2024

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

PNM

TO
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HOME, PROHIBITION AND EXCISE
(PRISON-IV) DEPARTMENT,
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COIMBATORE - 641018.

7 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:
THE INSPECTOR OF POLICE,
MANUR POLICE STATION, TIRUNELVELI DISTRICT

ORDER
IN
WMP(MD) No.19400 of 2024
IN
WP(MD) No.20134 of 2024
Date :25/09/2024

SS/SAR- /25/09/2024/6P/9C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023