



W.P(MD) No.24013 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 18.11.2024

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MS.JUSTICE R.POORNIMA**

W.P(MD) No.24013 of 2024

Kalaiselvi

... Petitioner / wife of the detenue

Vs

The State Represented by its

1.The Secretary to Government,
Home Department,
Fort St.George,
Chennai-600 009.

2.The Deputy Director General of Prison(DIG)
Trichy Range,
Trichy Central Prison,
Trichy-620 020.

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

4.The Superintendent of Police,
NCB Police Station,
Madurai District.
(R4 is suo motu impleaded
vide order dated 05.11.2024)

... 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, to call for the records pertaining to the Impugned Order bearing No. 106/Mu.Vu/2024 dated 06.09.2024 passed by the 2nd respondent and quash the same and consecutively direct the respondents to grant ordinary leave for 30 days without escort to the detinue, Paramanantham S/o. Rathinam, aged about 47 years, Convict No. 25361 confined at Central Prison, Trichy.

For Petitioner : Mr.S.Manoharan

For Respondents : Mr.T.Senthil Kumar,
Additional Public Prosecutor.

ORDER

(Order of the Court was made by **G.R.SWAMINATHAN, J.**)

Heard both sides.

2. The petitioner is the wife of the convict. The petitioner's husband Paramanantham (Convict No.25361) was sentenced to 20 years rigorous imprisonment vide Judgement dated 28.05.2024. The convict is in prison for the last 5 years. Since the petitioner's husband has been convicted for an offence involving commercial quantity under NDPS



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Act, he will not be entitled to ordinary leave. The detainee is said to be suffering from serious stomach ailments for which he needs to make appropriate medical consultation. It is also submitted that the the convict is yet to file any appeal so far and that he has to come out to make necessary arrangements.

3. Taking note of both these aspects, emergency leave for six days is granted with two escort. Accordingly, the convict prisoner is granted emergency leave for six days with two escort on the following conditions :-

(a)The convict prisoner, Paramanantham S/o.Rathinam [Convict Prisoner No.25361], now detained in the Central Prison, Trichy, is granted emergency leave for six (6) days from 23.11.2024 to 28.11.2024.

(b) The convict prisoner shall be released from the prison at 5.00 p.m., on 22.11.2024 and he shall return to the prison at 10.00 a.m., on 29.11.2024.

(c)The third respondent is directed to provide two escort to the convict from the Central Prison at the time when he leaves the prison and till such time, he returns to the prison. It is clarified that the cost involved in



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providing escort shall be deducted from out of the earnings of the convict.

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

4. With the above direction, the Writ Petition stands allowed. No costs.

(G.R.S., J.) (R.P., J.)
18.11.2024

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

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NOTE:Issue Order Copy on 19.11.2024



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- 1.The Secretary to Government,
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- 3.The Superintendent,
Trichy Central Prison,
Trichy-620 020.
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NCB Police Station,
Madurai District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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