



W.P(MD) No.25206 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 06.11.2024

CORAM

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

W.P(MD) No.25206 of 2024

Umagandhi

... Petitioner

Vs

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

2.The Superintendent of Police,
District Police Office,
Subramaniyapuram,
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 , calling for the records relating to the impugned order passed by the first respondent vide her proceedings in No.16889/ThaKu.4/2024, dated 09.10.2024 and quash the same as illegal and void, consequently, direction may be issued to the respondent to grant 15 days emergency leave without escort to the petitioner's husband A.K.Subbu @



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Subramanian S/o.Krishnasamy (Convict Prisoner No.23386, P.I.D.No. 235504) lodged at Central Prison, Trichy forthwith considering the representation dated 02.10.2024.

For Petitioner : Mr.C.Karthikeyan

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's husband A.K.Subbu @ Subramanian (Convict No.23386) is undergoing incarceration in Central Prison, Trichy. He is said to be suffering from serious ailments. The petitioner therefore sought emergency leave for her husband. It was rejected citing the pendency of C.C.No.28 of 2013 on the file of the Judicial Magistrate, Trichy.

3. Taking into account the special facts and circumstances obtaining in this case, we are of the view that relief can be granted. The impugned communication is set aside. The petitioner's husband A.K.Subbu @ Subramanian is granted 6 days emergency leave without escort.



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6. Accordingly, the convict-prisoner is granted emergency leave for 6 days without escort on the following conditions :-

(a) The convict prisoner, A.K.Subbu @ Subramanian [Convict Prisoner No.23386], now detained in the Central Prison, Tiruchirappalli, is granted emergency leave for six (6) days from 12.11.2024 to 17.11.2024.

(b) The convict prisoner shall be released from the prison at 10.00 a.m., on 12.11.2024 and he shall return to the prison at 5.00 p.m., on 17.11.2024.

(c) During the said leave period, he shall report before the Inspector of Police, Edamalaipatti Pudur Police Station, Trichy daily at 10.00 a.m., from 13.11.2024 onwards, without fail.

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

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

(G.R.S., J.) (R.P., J.)
06.11.2024

Index : Yes / No
Internet : Yes / No
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To

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

2.The Superintendent of Police,
District Police Office,
Subramaniyapuram,
Trichy-620 020.

Copy To:

1.The Inspector of Police, Edamalaipatti Pudhur Police Station,
Trichy.



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AND
R.POORNIMA, J.

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