



W.P(MD) No.26054 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 18.11.2024

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

W.P(MD) No.26054 of 2024

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... Petitioner

Vs

- 1.State of Tamil Nadu represented by
The Principal Secretary,
Home, Prohibition and Excise Department,
State of Tamil Nadu,
Fort St.George,
Chennai-600 009.
- 2.The Director General of Police /
Director of Prisons and Correctional Services,
No.1, Gandhi Irvin Road,
Egmore, Chennai.
- 3.The Deputy Inspector General of Prisons,
Trichy Range, Race Course Road,
Kozhipannai Salai (Near SRM Hotel),
Trichy-620 023.
- 4.The Superintendent of Prison,
Trichy Central Prison,
Trichy District.

... 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 Mandamus, to direct the respondents to grant 40 days ordinary leave without escort to petitioner's husband by name Arumugam Son of Paramasivam (CP-17268) Confining at Trichy Central Prison under the rule 20 (ii) (iii) (vii) Tamilnadu Suspension of Sentence Rules 1982 to take care of the petitioner while undergoing medical treatment for saving petitioner's life and to make repair the petitioners house on the basis of petitioner's representation dated 04.10.2024 in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.R.Alagumani

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 Arumugam (C.P.No.17268) is undergoing life sentence in Central Prison, Trichy. He filed W.P. (MD)No.28570 of 2023 and this Court vide order dated 08.04.2024



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granted ordinary leave for a period of 10 days.

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3. The learned Additional Public Prosecutor would point out that the convict jumped bail when he was granted parole and he was secured only in the year 2017.

4. Taking into account the objections of the learned Additional Public Prosecutor, we grant 7 days emergency leave to the convict under single escort. Accordingly, the convict prisoner is granted emergency leave for 7 days with single escort on the following conditions :-

(a) The convict prisoner, Arumugam S/o.Paramasivam [Convict Prisoner No.17268], now detained in the Central Prison, Trichy, is granted emergency leave for seven (7) days from 26.11.2024 to 02.12.2024.

(b) The convict prisoner shall be released from the prison at 5.00 p.m., on 25.11.2024 and he shall return to the prison at 10.00 a.m., on 03.12.2024.

(c) The fourth respondent is directed to provide single 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 providing escort shall be deducted from out of the earnings of the convict.



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

5. 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 Principal Secretary,
Home, Prohibition and Excise Department,
State of Tamil Nadu,
Fort St. George,
Chennai-600 009.
2. The Director General of Police /
Director of Prisons and Correctional Services,
No.1, Gandhi Irvin Road,
Egmore, Chennai.
3. The Deputy Inspector General of Prisons,
Trichy Range, Race Course Road,
Kozhipannai Salai (Near SRM Hotel),
Trichy-620 023.
4. The Superintendent of Prison,
Trichy Central Prison,
Trichy District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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