



W.P(MD) No.26224 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.26224 of 2024
and
W.M.P.(MD)No.22226 of 2024**

Priyadharshini

... Petitioner / wife of the detenue

Vs

The State represented by its

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

2.The Deputy Inspector General of Prison,
Trichy Range,
Trichy-620 020.

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

4.The Superintendent of Police,
Office of Superintendent of Police,
Madurai-625 014.



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5. The Inspector of Police,
NCB Chennai,
Zonal Unit.

(R5 is suo motu impleaded vide order
dated 11.11.2024 by GRSJ & RPJ)

... Respondents

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. RO-TRY456/Mu.Vu./2024, dated 15.09.2024, 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 detenue, Pandi, S/o. Karuppathevar, aged about 42 years, Life Convict No.25194, detained 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.**)

Hear both sides.

2. The petitioner is the wife of the convict - Pandi (Life Convict No.25194). He is incarcerated in Central Prison, Trichy. He has been sentenced to four years rigorous imprisonment. The convict had



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committed offence under NDPS Act involving commercial quantity. He is therefore not entitled to ordinary leave. It is seen that the petitioner is in prison for the year last three years. The Judgment of sentence and conviction was passed on 08.01.2024. The convict is said to be suffering from serious ailments. The daughter of the petitioner has attained puberty recently.

3. Taking into account all these aspects, we grant emergency leave to the convict for a period of 7 days with single escort.

4. Accordingly, the convict prisoner is granted emergency leave for 7 days with single escort on the following conditions :-

(a)The convict prisoner, Pandi S/o.Karuppathevar [Convict Prisoner No.25194], 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 10.00 a.m., on 25.11.2024 and he shall return to the prison at 5.00 p.m., on 03.12.2024.

(c)The third respondent is directed to provide



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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.

(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. Consequently, connected miscellaneous petition is closed.

(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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Chennai-600 009.
- 2.The Deputy Inspector General of Prison,
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Trichy-620 020.
- 3.The Superintendent,
Central Prison,
Trichy-620 020.
- 4.The Superintendent of Police,
Office of Superintendent of Police,
Madurai-625 014.
- 5.The Inspector of Police,
NCB Chennai,
Zonal Unit.
- 6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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