



**W.P(MD) No.26771 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.26771 of 2024**

Muneesh Kumar

... Petitioner

Vs

1.The Deputy Inspector General of Police,  
O/o. The Inspector General of Prison  
and Correctional Services,  
Madurai Range,  
Madurai Central Prison Campus,  
New Jail Road,  
Madurai.

2.The Superintendent of Prison,  
Central Jail,  
Palayamkottai,  
Tirunelveli District.

3.The Superintendent of Police,  
O/o.Superintendent of Police,  
Tirunelveli District.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the



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respondents to grant ordinary leave to the petitioner's father's younger brother namely Manikandan S/o Esakkimuthu (LCT No.3741) who is convicted for one murder case and languishing at Central Prison, Palayamkottai, Tirunelveli for the past 10 years by considering the petitioner's representation dated 08.10.2024.

For Petitioner : Mr.SMA.Jinnah

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 nephew of the life convict. This writ petition was filed seeking ordinary leave for the convict. During the pendency of the writ petition, 28 days ordinary leave was granted for the convict Manikandan (LCT No.3741) vide proceedings No.813/உத. 2/2024 dated 12.11.2024.

3. The learned counsel for the petitioner is still having some grievance. This is because, leave has been granted with necessary escort. Since the cost of providing escort will be deducted from the earnings of



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the prisoner, that would adversely impact the convict.

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4. We are satisfied that this is a case in which leave can very well be granted without escort. We therefore modify the order dated 12.11.2024 passed by the DIG of Madurai Range to the convict and direct that leave shall be granted to the prisoner without escort.

5. Accordingly, the convict-prisoner is granted ordinary leave for 28 days without escort on the following conditions :-

(a) The convict prisoner, Manikandan S/o. Esakkimuthu [LCT No.3741], now detained in the Central Prison, Palayamkottai, Tirunelveli, is granted ordinary leave for twenty eight (28) days from 26.11.2024 to 23.12.2024.

(b) The convict prisoner shall be released from the prison at 5.00 p.m., on 25.11.2024 and he shall return back to the prison at 10.00 a.m., on 24.12.2024.

(c) During the said leave period, he shall report before the Inspector of Police, Vijayanarayanam Police Station, Tirunelveli District, daily at 10.00 a.m., from 26.11.2024 onwards, without fail.

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



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6. 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***

To

1. The Deputy Inspector General of Police,  
O/o. The Inspector General of Prison  
and Correctional Services,  
Madurai Range,  
Madurai Central Prison Campus,  
New Jail Road,  
Madurai.
2. The Superintendent of Prison,  
Central Jail,  
Palayamkottai,  
Tirunelveli District.
3. The Superintendent of Police,  
O/o. Superintendent of Police,  
Tirunelveli District.
4. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

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The Inspector of Police,  
Vijayanarayanam Police Station,  
Tirunelveli District.



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**G.R.SWAMINATHAN, J.**  
**AND**  
**R.POORNIMA, J.**

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