



W.P(MD) No.28574 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 03.12.2024

CORAM

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

W.P(MD) No.28574 of 2024

Annakili

... Petitioner / Mother of the Prisoner

Vs

1.The State of Tamil Nadu

Rep. by its The Secretary to Government Tamil Nadu,
Department of Prison,
Fort St.George,
Chennai-600 009.

2.The Deputy Inspector General of Prison,

Madurai Zone,
Madurai Central Prison,
Madurai-625 016.

3.The Superintendent of Prison,

Central Prison,
Palayamkottai,
Tirunelveli-627 002.

4.The Superintendent of Police,

Office of the Superintendent of Police,
Nagercoil,
Kanyakumari.

... 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 emergency leave for 15 days without escort to the petitioner's son, the prisoner, Iyyapan, S/o.Selvaraj, bearing C.T.No. 4393, serving life sentence at Central Prison, Palayamkottai.

For Petitioner : Mr.R.Narayanan

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 son is undergoing life sentence in Central Prison, Palayamkottai. The petitioner is said to be suffering from certain serious ailments. The petitioner has therefore sought emergency leave for her son.

3. Taking into account the special facts and circumstances, the respondents themselves have accepted to grant him six days emergency leave with escort. We are of the view that leave can be granted without escort. Accordingly, the convict-prisoner is granted emergency leave for



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six days without escort on the following conditions :-

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(a) The convict prisoner, Iyyappan S/o.Selvaraj [C.T.No.4393], now detained in the Central Prison, Palayamkottai, is granted emergency leave for six (6) days from 07.12.2024 to 12.12.2024.

(b) The convict prisoner shall be released from the prison at 05.00 p.m., on 06.12.2024 and he shall return to the prison at 10.00 am., on 13.12.2024.

(c) During the said leave period, he shall report before the Inspector of Police, Rajakkamangalam Police Station, Kanyakumari District daily at 07.00 a.m., & 07.00 pm., from 07.12.2024 onwards, without fail.

(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.)
03.12.2024

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
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NOTE: Issue Order Copy on 04.12.2024

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To
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- 1.The Secretary to Government Tamil Nadu,
Department of Prison,
Fort St.George,
Chennai-600 009.
- 2.The Deputy Inspector General of Prison,
Madurai Zone,
Madurai Central Prison,
Madurai-625 016.
- 3.The Superintendent of Prison,
Central Prison,
Palayamkottai,
Tirunelveli-627 002.
- 4.The Superintendent of Police,
Office of the Superintendent of Police,
Nagercoil,
Kanyakumari.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy To:

The Inspector of Police,
Rajakkamangalam Police Station,
Kanyakumari District.



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AND
R.POORNIMA, J.

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