



W.P(MD)No.28517 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 29.11.2024

CORAM

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

W.P(MD)No.28517 of 2024

Ramesh

... Petitioner

Vs.

- 1.The State Rep. by its
The Principal Secretary to Government,
Home, Prohibition and Excise (Prison-IV) Department,
Fort St. George, Chennai – 600 009.
 - 2.The Director General of Prisons and Correctional Services,
O/o. Tamilnadu Prisons Headquarters,
Whannels Road, Egmore,
Chennai – 600 008.
 - 3.The Deputy Inspector General of Prisons,
Trichy Range, Race Course Road,
Trichy – 620 023.
 - 4.The Superintendent of Prisons,
Central Prison,
Trichy – 620 020.
 - 5.The Superintendent of Police,
District Police Office,
Pudukkottai – 622 003.
- ... 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 Certiorarified Mandamus, calling for the records relating to the impugned order passed by the 3rd respondent vide her proceedings in No.RO-TRY/583/MuVu/2024, dated 04.11.2024 and quash the same as illegal and void, consequently grant 28 days ordinary leave without police escort to the petitioner Ramesh, S/o.Muthukrishnan, aged about 52 years, Life Convict, Convict Prisoner No.17147, (P.I.D.No.36356) confined at Central Prison, Tiruchirappalli - 620020, forthwith considering the representation dated 28.09.2024.

For Petitioner : Mr.C.Karthikeyan

For Respondents : Mr.T.Senthil Kumar,
Addl. Public Prosecutor.

ORDER

(Order of the court was delivered by G.R.Swaminathan, J.)

Heard both sides.

2.The petitioner is undergoing going life imprisonment at Central Prison, Trichy. He seeks 28 days ordinary leave.

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3.The petitioner's request was rejected by the fourth respondent vide order dated 04.11.2024. The reason set out in the impugned order is that when the petitioner returned on the expiry of emergency leave in June 2024, he returned in a drunken condition. Therefore, his prison facilities were withdrawn for three months.

4.The said three months has since expired. We are therefore of the view that the said reason need not be put against the petitioner. It is also submitted that the petitioner is having cardiac related ailments and that he is confined in Government Hospital, Trichy for the last 11 days.

5.Taking into account, the medical condition of the petitioner, we are of the view that an indulgent view can be taken. In this view of the matter, the order impugned in the writ petition is set aside and the writ petition is allowed on the following conditions:-

(a)The convict-prisoner, Ramesh, S/o.Muthukrishnan [Convict No.17147] now detained in the Central Prison, Tiruchirappalli is granted ordinary leave from 04.12.2024 to 03.01.2025 without escort.



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(b) The convict prisoner shall be released from the prison at 05.00 p.m., on 04.12.2024 and he shall return to the prison at 10.00 a.m., on 03.01.2025.

(c) During the said leave period, he shall report before the Inspector of Police, Annavasal Police Station, Pudukkottai District daily at 07.00 a.m., and 07.00 p.m., from 05.12.2024 onwards, without fail.

(d) During the leave period, the convict prisoner shall abide by all the conditions prescribed in the Jail Manual. No costs.

**(G.R.S. J.) & (R.P. J.)
29.11.2024**

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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Issue order copy on 02.12.2024.

To:-

- 1.The Principal Secretary to Government,
Home, Prohibition and Excise (Prison-IV) Department,
Fort St. George, Chennai – 600 009.
- 2.The Director General of Prisons and Correctional Services,
O/o. Tamilnadu Prisons Headquarters,
Whannels Road, Egmore,
Chennai – 600 008.



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3. The Deputy Inspector General of Prisons,
Trichy Range, Race Course Road,
Trichy – 620 023.

4. The Superintendent of Prisons,
Central Prison,
Trichy – 620 020.

5. The Superintendent of Police,
District Police Office,
Pudukkottai – 622 003.

6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to:

The Inspector of Police,
Annavasal Police Station,
Pudukkottai District.



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and
R.POORNIMA, J.**

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