



W.P(MD)No.28516 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**

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Vimalarani

... Petitioner

Vs.

1.The State of Tamilnadu.

Rep. by its the Deputy Inspector General of Prison,
Madurai Zone, Madurai Central Prison,
Madurai - 625 016.

2.The Superintendent of Prison,

Open Air Prison,
Purasadai Udaippu,
Sivagangai.

3.The Superintendent of Police,

Office of the Superintendent of Police,
Ramanathapuram.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to modify his order dated 29.07.2024 in No.380/UTHA.2/2024 to grant ordinary leave for 28 days without escort



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to the petitioner's husband, the prisoner, Ganesan, S/o.Sivasankaran,
Convict No.0181, presently detained at Open Air Prison, Sivagangai.

For Petitioner : Mr.R.Narayanan

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's husband is undergoing life sentence at Open Air Prison, Sivagangai. He has so far spent seven years in prison. He is therefore entitled to 28 days ordinary leave. The fact that the petitioner's husband had been detained only at Open Air Prison, *prime facie* indicates that his prison conduct is good.

3.In this view of the matter, the writ petition is disposed of on the following conditions:-

(a)The convict-prisoner, Ganesan,
S/o.Sivasankaran [Convict No.0181] now detained in



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the Open Air Prison, Sivagangai, is granted ordinary leave from 05.12.2024 to 02.01.2025 without escort.

(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, Devipattinam Police Station, Ramanathapuram 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 Deputy Inspector General of Prison,
Madurai Zone, Madurai Central Prison,
Madurai - 625 016.



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2.The Superintendent of Prison,
Open Air Prison,
Purasadai Udaippu,
Sivagangai.

3.The Superintendent of Police,
Office of the Superintendent of Police,
Ramanathapuram.

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

Copy to:

The Inspector of Police,
Devipattinam Police Station,
Ramanathapuram District.



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R.POORNIMA, J.**

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