



W.P(MD) No.29021 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 03.12.2024

CORAM

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

W.P(MD) No.29021 of 2024

M.Ramalakshmi

... Petitioner / Wife of Life Convict

Vs

- 1.State of Tamil Nadu,
Rep. by the Additional Chief Secretary to Government,
Home (Prison V) Department,
Secretariat, Fort St.George,
Chennai-600 009.
 - 2.The Director General of Prisons and Correctional Services,
Tamil Nadu Prison Department,
No.6, Whennals Road, Egmore,
Chennai-600 008.
 - 3.The Deputy Inspector of Prisons,
Office of DIG of Prisons-Madurai Range,
Arasaradi, Madurai-625 016.
 - 4.The Superintendent of Prisons,
Central Prison for Men, Palayamkottai,
Tirunelveli-627 002.
- ... 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 one month ordinary leave to the petitioner's husband namely R.Madasamy @ Raja S/o.Ramasamy (LCT.No.1916 & PID No. 18069) who is confining at Palayamkottai Central Prison as life convict to attend and organize marriage of daughter of life convict on 05.12.2024 as per Rule No.19, 20(iv) or 40 of Tamil Nadu Suspension of Sentence Rules, 1982 by considering the representation preferred by the petitioner dated 09.11.2024.

For Petitioner : Mr.R.Alagumani

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 husband is a life convict undergoing sentence in Central Prison, Palayamkottai. Their daughter's marriage has been finalized and it is scheduled to be solemnized on 05.12.2024. The petitioner's request had already been accepted by DIG of Prisons,



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Madurai. But then, it has been stipulated that the convict will be accompanied by escort. The third respondent has granted 28 days ordinary leave. The petitioner's counsel feels aggrieved by the imposition of the condition that there will be a escort. The petitioner's husband has already spent 14 years in prison. His conduct appears to be good. The petitioner's husband was earlier given emergency leave without escort.

3. In these circumstances, we are of the view that the stipulation to provide escort vide proceedings No.886/உத.2/2024, dated 03.12.2024 can be dispensed with. The aforesaid proceedings issued by the third respondent is accordingly modified. Accordingly, the convict-prisoner is granted ordinary leave for 28 days without escort on the following conditions :-

(a)The convict prisoner, R.Madasamy @ Raja S/o.Ramasamy [Convict Prisoner No.1916], now detained in the Central Prison, Palayamkottai, is granted ordinary leave for twenty eight (28) days from 07.12.2024 to 03.01.2025.

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



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return to the prison at 10.00 am., on 04.01.2025.

(c) During the said leave period, he shall report before the Inspector of Police, Kuttralam Police Station, Tenkasi 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 03.12.2024

To

1. The Additional Chief Secretary to Government,
Home (Prison V) Department,
Secretariat, Fort St. George,
Chennai-600 009.

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- 2.The Director General of Prisons and Correctional Services,
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Chennai-600 008.
- 3.The Deputy Inspector of Prisons,
Office of DIG of Prisons-Madurai Range,
Arasaradi, Madurai-625 016.
- 4.The Superintendent of Prisons,
Central Prison for Men, Palayamkottai,
Tirunelveli-627 002.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy To:

The Inspector of Police,
Kutralam Police Station,
Tenkasi District.



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AND
R.POORNIMA, J.

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