



W.P(MD)No.30017 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 12.12.2024

CORAM

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

W.P(MD)No.30017 of 2024

Arumugam

... Petitioner

Vs.

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

2.The Superintendent of Prison,
Madurai Central Jail,
New Jail Road,
Madurai District.

3.The Superintendent of Police,
O/o. the Superintendent of Police,
Madurai District.

4.The Inspector of Police,
O/o. the Inspector of Police,
All Women Police Station,
Madurai Town, Madurai.

... 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, to call for the records passed by Respondent No.1 in No.738/Vu.Tha.2/2024 dated 03.12.2024 and quash the same as bad in law and further direct the Respondent Nos.1 and 2 to grant ordinary leave without escort for the period of 28 days to the Petitioner's son namely, Kalimuthu (CP. No.5570) who is life sentenced prisoner in a POCSO case and languishing in Madurai Central Prison for the past nine years.

For Petitioner : Mr.A.Naresh Prabhu

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

ORDER

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

The petitioner is the father of a life convict. The petitioner's son is undergoing life imprisonment in Central Prison, Madurai. He has so far spent eight years and seven months in prison. The first respondent granted ordinary leave for the petitioner's son for twenty eight (28) days with escort. Aggrieved by the said condition, this writ petition has been filed.



W.P(MD)No.30017 of 2024

WEB COPY

2.We are satisfied that the convict can very well be granted leave without escort. He should however sign before the local police station twice a day. The condition providing for escort in the impugned order dated 03.12.2024 is deleted. The convict shall completely stay away from his wife and children. He shall not endeavour to establish contact with them. If this condition is breached, the convict will be hauled up for contempt.

3.The writ petition is allowed on the following conditions:-

(a)The convict-prisoner, Kalaimuthu, S/o.Arumugam, [Convict Prisoner No.5570] now detained at Central Prison, Madurai is granted ordinary leave for twenty eight (28) days from 18.12.2024 to 14.01.2025 without escort.

(b) The convict prisoner shall be released from the prison at 05.00 p.m., on 17.12.2024 and he shall return to the prison at 10.00 a.m., on 15.01.2025.

(c) During the said leave period, he shall report before the Inspector of Police, Keerathurai Police Station, Madurai District daily at 07.00 a.m., and 07.00 p.m., from 18.12.2024 onwards, without fail.



W.P(MD)No.30017 of 2024

(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.,)
12.12.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias

Issue order copy on 13.12.2024.

To:-

- 1.The Deputy Inspector General of Prison,
O/o. the Deputy Inspector General of Prison
and Correctional Services,
Madurai Range, Madurai Central Prison Campus,
New Jail Road, Madurai District.
- 2.The Superintendent of Prison,
Madurai Central Jail,
New Jail Road,
Madurai District.
- 3.The Superintendent of Police,
O/o. the Superintendent of Police,
Madurai District.
- 4.The Inspector of Police,
O/o. the Inspector of Police,
All Women Police Station,
Madurai Town, Madurai.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

4/6



W.P(MD)No.30017 of 2024

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Copy to:

The Inspector of Police,
Keerathurai Police Station,
Madurai District.



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W.P(MD)No.30017 of 2024

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

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