



W.P(MD)No.30015 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 12.12.2024

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

W.P(MD)No.30015 of 2024

Gana Chinnammal

... Petitioner

Vs.

1.The Home Secretary,
Home Department (Prison),
Secretariat, Fort St. George,
Chennai - 600 009.

2.The Deputy Inspector General of Prisons,
Madurai Range, Madurai - 625 001.

3.The Superintendent of Prison,
Central Prison,
Palayamkottai - 627 007.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2nd and 3rd respondents to grant 21 days ordinary leave to the petitioner's husband Thangaraj, S/o.Peniyevan, aged 38 years (Convict Prisoner PID No.409050) confined in Central Prison, Palayamkottai, without escort for the purpose of conjugal visit by considering petitioner's representation dated 09.11.2024.



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For Petitioner : Mr.P.M.Basil

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

ORDER

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

Heard the learned counsel on either side.

2.The petitioner's husband is undergoing ten years rigorous imprisonment in Central Prison, Palayamkottai. He has so far spent four years in prison. He is entitled to 21 days ordinary leave.

3.The learned Additional Public Prosecutor points out that the petitioner's husband went on ordinary leave on 04.12.2023 and returned to prison on 24.12.2023. He pointed out that one year from the said date would expire on 23.12.2024.

4.Taking into account the reasons set out in the affidavit filed in support of the writ petition, we direct the third respondent to grant twenty one (21) days ordinary leave to the petitioner's husband without escort.

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

(a)The convict-prisoner, Thangaraj, S/o.Peniyevan, [PID No.409050] now detained at Central Prison, Palayamkottai is granted ordinary leave for twenty one (21) days from 25.12.2024 to 14.01.2025 without escort.

(b) The convict prisoner shall be released from the prison at 05.00 p.m., on 24.12.2024 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, Soorangudi Police Station, Thoothukudi District daily at 07.00 a.m., and 07.00 p.m., from 24.12.2024 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.)
12.12.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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Issue order copy on 13.12.2024.



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To:-

1. The Home Secretary,
Home Department (Prison),
Secretariat, Fort St. George,
Chennai - 600 009.
2. The Deputy Inspector General of Prisons,
Madurai Range, Madurai - 625 001.
3. The Superintendent of Prison,
Central Prison,
Palayamkottai - 627 007.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to:

The Inspector of Police,
Soorangudi Police Station,
Thoothukudi District.



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and
R.POORNIMA, J.**

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