



W.P(MD)No.30028 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.30028 of 2024

Rajesh

... Petitioner

Vs.

1.The State represented by its,
Principal Secretary to Government,
Home, Prohibition and Excise (Prison - IV) Department,
Fort St. George, Chennai - 600 009.

2.The Director General of Prisons,
O/o. Prison Department 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,
Nagapattinam - 611 001.

... 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, directing the respondents to grant 40 days ordinary leave to petitioner's brother Senthil, S/o.Anbalagan, Convict No.20107, life convict now confined at Central Prison, Trichy forthwith considering the petitioner's representation dated 11.11.2024.

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's brother is undergoing life imprisonment at Central Prison, Trichy. He has so far spent 21 years in prison. He is entitled to 40 days ordinary leave.

3.The learned Additional Public Prosecutor points out that the petitioner's brother went on ordinary leave on 02.12.2023 and returned to prison on 10.01.2024. The one year period would expire only 09.01.2025.



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4.We therefore direct the fourth respondent to grant forty (40) days ordinary leave in favour of the convict without escort from 10.01.2025.

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

(a)The convict-prisoner, Senthil, S/o.Anbalagan, [Convict Prisoner No.20107] now detained at Central Prison, Trichy is granted ordinary leave for forty (40) days from 10.01.2025 to 18.02.2025 without escort.

(b) The convict prisoner shall be released from the prison at 05.00 p.m., on 09.01.2025 and he shall return to the prison at 10.00 a.m., on 19.02.2025.

(c) During the said leave period, he shall report before the Inspector of Police, Valivalam Police Station, Nagapattinam District daily at 05.00 p.m., from 10.01.2025 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
ias

Issue order copy on 13.12.2024.



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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,
O/o. Prison Department Headquarters,
Whannels Road, Egmore,
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- 4.The Superintendent of Prisons,
Central Prison,
Trichy - 620 020.
- 5.The Superintendent of Police,
District Police Office,
Nagapattinam - 611 001.
- 6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to:

The Inspector of Police,
Valivalam Police Station,
Nagapattinam District.



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and
R.POORNIMA, J.**

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