



W.P(MD)No.30516 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.12.2024

CORAM

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

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Prema

... 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.

3.The Superintendent of Prison,
Central Prison,
Palayamkottai,
Tirunelveli District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 2 and 3 to grant 40 days ordinary leave without escort to the petitioner's brother Gopi @ Shagaya Burono, S/o.Francis, (Convict Prisoner PID No.18061) confined at Central Prison, Palayamkottai by considering petitioner's representation dated 18.11.2024.



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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 both sides.

2.The petitioner's brother is undergoing life sentence in Central Prison, Palayamkottai. He has so far spent seventeen years in prison. He is eligible for forty days ordinary leave.

3.Taking into account the reasons projected in the affidavit filed in support of the writ petition, we grant twenty days (20) ordinary leave in favour of the convict without escort.

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

(a)The convict-prisoner, Gopi @ Shagaya Burono, S/o.Francis, [Convict Prisoner No.18061] now detained at Central Prison, Palayamkottai is granted



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ordinary leave for twenty (20) days from 24.12.2024 to 12.01.2025 without escort.

(b) The convict prisoner shall be released from the prison at 05.00 p.m., on 23.12.2024 and he shall return to the prison at 10.00 a.m., on 13.01.2025.

(c) During the said leave period, he shall report before the Inspector of Police, Rajakamangalam Police Station, Kanyakumari District daily at 05.00 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.)
19.12.2024**

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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Issue order copy on 20.12.2024.

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.



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3. The Superintendent of Prison,
Central Prison,
Palayamkottai,
Tirunelveli District.

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

Copy to:

The Inspector of Police,
Rajakamangalam Police Station,
Kanyakumari District.



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and
R.POORNIMA, J.**

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