



W.P(MD)No.30787 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 19.12.2024

CORAM

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

W.P(MD)No.30787 of 2024

B.Santhiya

... Petitioner

Vs.

1.The Deputy Inspector General of Prisons
and Correctional Services,
Trichy Range, Race Course Road,
Trichy - 620 023.

2.The Superintendent,
Central Prison,
Trichy - 620 020.

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

... Respondents

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 15 days Emergency Leave without police escort to the petitioner's Husband namely Balraj, S/o.Ponnaiyan, Convict Prisoner, bearing Convict Prisoner No.24673, confined at Central Prison, Trichy on the basis of the petitioner's representation dated 10.12.2024.



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For Petitioner : Mr.K.A.S.Prabhu

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 seeks emergency leave for her husband / convict. The petitioner's husband was convicted and sentenced for an offence under the provision of POCSO Act, 2012. He is now undergoing sentence in Central Prison, Trichy. The petitioner's husband is having some cardiac related ailments.

3.We are satisfied that a case for grant of emergency leave has been made out. We direct the second respondent to grant five days (5) emergency leave for the convict with necessary escort.

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

(a)The convict-prisoner, Balraj, S/o.Ponnaiyan,
[Convict Prisoner No.24673] now detained at Central



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Prison, Trichy is granted emergency leave for five (5) days from 23.12.2024 to 27.12.2024 with necessary escort.

(b) The convict prisoner shall be released from the prison at 05.00 p.m., on 22.12.2024 and he shall return to the prison at 10.00 a.m., on 28.12.2024.

(c) The concerned authority is directed to provide necessary escort to the convict from the Central Prison at the time when he leaves the prison and till such time, he returns to the prison. It is clarified that the cost involved in providing escort shall be deducted from out of the earnings of the convict.

(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
ias

Issue order copy on 20.12.2024.

To:-

1. The Deputy Inspector General of Prisons
and Correctional Services,
Trichy Range, Race Course Road,
Trichy - 620 023.

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- 2.The Superintendent,
Central Prison,
Trichy - 620 020.
- 3.The Superintendent of Police,
O/o. the Superintendent of Police,
Thanjavur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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

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