



W.P(MD)No.31054 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 20.12.2024

CORAM

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

W.P(MD)No.31054 of 2024

R.Kamalam

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by its the Deputy Inspector General of Prison,
Madurai Zone, Madurai Central Prison,
Madurai - 625 016.

2.The Superintendent of Prison,
Central Prison, Palayamkottai,
Tirunelveli - 627 002.

3.The Superintendent of Police,
Kanyakumari District,
Nagercoil.

... 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 to grant ordinary leave for 40 days without escort to the petitioner's son, the prisoner, Shaji, S/o.Ragavan, Convict No.2794 detained at Central Prison, Palayamkottai.

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For Petitioner : Mr.R.Narayanan

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

ORDER

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

Heard both sides.

2.When the writ petition was taken up for hearing, the learned Additional Public Prosecutor produced copy of the proceedings dated 19.12.2024 by which the petitioner's prayer has been conceded. The learned counsel for the petitioner states that the condition to provide escort may be deleted. He points out that the prisoner was granted leave on as many as five occasions earlier and on all those occasions, it was without escort. He also states that the conduct of the prisoner has been good and that there has been no complaint sofar.

3.In this view of the matter, the direction to provide escort in the proceedings dated 19.12.2024 in No.958/உ.த.2/2024 stands deleted. The other conditions shall stand unaltered.



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

(a)The convict-prisoner, Shaji, S/o.Ragavan, [Convict No.2794] now detained at Central Prison, Palayamkottai is granted ordinary leave for twenty eight (28) days from 23.12.2024 to 19.01.2025 without 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 20.01.2025.

(c) During the said leave period, he shall report before the Inspector of Police, Marthandam Police Station, Kanyakumari District daily at 07.00 a.m., and 07.00 p.m., from 23.12.2024 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.,)
20.12.2024**

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

Issue order copy on 20.12.2024.

To:-

1.Deputy Inspector General of Prison,
Madurai Zone, Madurai Central Prison,
Madurai - 625 016.

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- 2.The Superintendent of Prison,
Central Prison, Palayamkottai,
Tirunelveli - 627 002.
- 3.The Superintendent of Police,
Kanyakumari District,
Nagercoil.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to:

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



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and
R.POORNIMA, J.**

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