



W.P.No.1302 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH
AND
THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

W.P.No.1302 of 2025
and W.M.P.No.1552 of 2025

Chandra

...Petitioner/Mother of the detainee

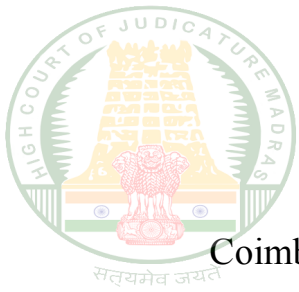
Vs.

The State represented by its,
1.The Deputy Inspector General of Prison,
Coimbatore Range,
Coimbatore-641 018.

2.The Superintendent,
Coimbatore Central Prison,
Coimbatore-641 018

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order bearing No.18338/Tha.Ku.3/2024, dated 08.12.2024, passed by the second respondent and quash the same and consequently, direct the respondents to grant 15 days of emergency leave without escort to the detainee, Paraman @ Paramashivan, S/o.Shivan, aged about 32 years, bearing Convict No.20511 and PID No.43198 confined at Central Prison,



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Coimbatore.

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For Petitioner : Mr.M.Ezhilarasu
For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor
assisted by Mr.M.Sylvester John

ORDER

M.S.RAMESH, J.
and
N.SENTHILKUMAR, J.

This writ petition has been filed to direct the respondents to grant 15 days emergency leave, without escort to the petitioner's son namely Paraman @ Paramashivan, S/o.Shivan, aged about 32 years, bearing Convict No.20511 and PID No.43198 confined at Central Prison, Coimbatore.

2. Heard the learned counsel on either side and perused the documents.

3. The petitioner herein seeks for grant of 15 days of emergency leave for her son, without escort, on the ground that the petitioner is 60



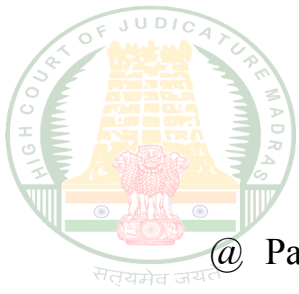
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years old and she has certain medical ailments and she requires her son/detenu to arrange someone to take care of her and to make arrangements for her medical expenses.

4.The learned Additional Public Prosecutor produced a copy of the Probation Officer's report dated 15.10.2024, in which the Probation Officer has recommended for grant of leave as the reason assigned by the petitioner is true. However, the law enforcing agency have not recommended for grant of leave as there was a life threat for the convict prisoner. He would submit that the prisoner is otherwise eligible for 6 days of emergency leave, with minimum escort.

5. Considering that the reason assigned by the petitioner for grant of leave is true and that the convict prisoner is eligible for 6 days of emergency leave, we are inclined to grant emergency leave for a period of 6 days in exercise of our powers under Article 226 of the Constitution of India.

6. Accordingly, the petitioner's son /convict prisoner i.e., Paraman



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@ Paramashivan, S/o.Shivan, aged about 32 years, bearing Convict No.20511 and PID No.43198 confined at Central Prison, Coimbatore, is permitted to avail Emergency Leave for a period of 6 days with minimum escort. Hence, the leave is granted on the following terms.

(i) The convict prisoner viz., Paraman @ Paramashivan, S/o.Shivan, aged about 32 years, bearing Convict No.20511 and PID No.43198, shall be released from the prison at 10.00 a.m., on 07.02.2025;

(ii) The convict prisoner shall return back to the prison at 7.00 p.m., on 12.02.2025.

(iii)The second respondent is directed to provide minimum escort of two police constables to the convict from the Central Prison from the time he leaves the prison and till such time he is taken back to the prison.

7. The writ petition stands allowed. Consequently, connected miscellaneous petitioner is closed.

[M.S.R., J] [N.S., J]

04.02.2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes/No

Neutral Citation: Yes/No

Anu



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Note: Issue Order Copy on 06.02.2025

Upload the order copy forthwith

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To

1.The Deputy Inspector General of Prison,
Coimbatore Range,
Coimbatore-641 018.

2.The Superintendent,
Coimbatore Central Prison,
Coimbatore-641 018

3.The Public Prosecutor,
High Court, Madras.



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