



WEB COPY



WP.No.954 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2025

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

W.P.No.954 of 2025

Pushpavalli

... Petitioner

Vs.

The State represented by its,

1.The Secretary to Government of
Tamil Nadu, Home Department,
Fort St.George,
Chennai – 600 009.

2.The Deputy Inspector General of Prison,
Chennai Range,
Egmore, Chennai – 600 008.

3.The Superintendent,
Women's Central Prison,
Puzhal, Chennai – 620 066.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the



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impugned order bearing No.946/ Tha.Ku1/ 2024, dated 14.12.2024 passed by the 3rd respondent and quash the same and consecutively direct the respondents to grant emergency leave for 15 days without escort to the detenue, Jayalakshmi, W/o. Anthony, aged about 38 years, bearing Convict No.946, undergoing imprisonment now at Women's Central Prison, Puzhal.

For Petitioner : Ms.K.Akshaya
For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

(Order of the Court was made by *S.M.SUBRAMANIAM, J.*)

The present writ petition has been filed to quash the impugned order bearing No.946/ Tha.Ku1/ 2024, dated 14.12.2024 passed by the 3rd respondent and to direct the respondents to grant emergency leave for 15 days without escort to the detenue, Jayalakshmi, W/o. Anthony, aged about 38 years, bearing Convict No.946, undergoing imprisonment now at Women's Central Prison, Puzhal.

2. The Leave application was rejected on the ground that Crime No.152 of 2018, S.C.No.359/2021 is pending trial. The Convict Prisoner was convicted and sentenced to undergo seven years imprisonment. The Convict Prisoner is in actual imprisonment for about four years and four months.



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3. The learned counsel for the petitioner would submit that Emergency Leave application was filed for taking treatment. The Probation officer recommended the case of the Prisoner for grant of Emergency Leave.

4. Since the Convict Prisoner has already undergone 4 years and 4 months of imprisonment out of 7 years, we are inclined to quash the rejection order dated 14.12.2024 bearing No.946/ Tha.Ku1/ 2024 passed by the 3rd respondent and permit the Convict Prisoner to avail six (6) days Emergency Leave without escort on the following conditions;

- (1) The respondents are directed to release the Convict Prisoner viz., Jayalakshmi, W/o.Anthony, aged about 38 years bearing Convict No.946, confined at Womens Central Prison, Puzhal on Emergency Leave for a period of six (6) days without escort commencing from 04.02.2025 to 09.02.2025.
- (2) The Convict Prisoner shall be released on 04.02.2025 at 10.00 A.M. and surrender before the Superintendent of Prisons, Women's Central Prison, Puzhal, Chennai, on 09.02.2025 at 05.00 P.M.
- (3) The Convict Prisoner is directed to report before the Nemili Police Station, Kancheepuram District on 06.02.2025 at 11.00 A.M, during the



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period of leave.

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(4) During the leave period, the Convict Prisoner shall abide by all the conditions prescribed in the Jail Manual.

(5) The Convict Prisoner shall utilize the leave only for the ground on which it has been granted and shall not indulge in any other activities.

5. With these conditions, the writ petition stands allowed. No costs.

[S.M.S., J.]

[M.J.R., J.]

31.01.2025

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No

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To

1. The Secretary to Government of
Tamil Nadu, Home Department,
Fort St. George,
Chennai – 600 009.

2. The Deputy Inspector General of Prison,
Chennai Range, Egmore, Chennai – 600 008.



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3. The Superintendent,
Women's Central Prison,
Puzhal, Chennai – 620 066.

4. The Additional Public Prosecutor,
Madras High Court.



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