



W.P.No.2399 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2025

CORAM :

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

W.P.No.2399 of 2025

Eswari

...Petitioner/ wife of the detenue

Vs.

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

2.The Superintendent,
Central Prison,
Salem-636 008.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, to direct the respondents to grant emergency leave of 15 days, without escort to the detenue, Raju, S/o.Rajagounder, aged about 52 years, PID No.532778, confined at Central Prison, Salem.

For Petitioner : Ms.K.Akshaya

For Respondent : Mr.R.Muniyapparaj
Additional Public Prosecutor
assisted by Mr.M.Sylvester John



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ORDER

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

This writ petition has been filed to direct the respondents to grant emergency leave of 15 days, without escort to the detinue, Raju, S/o.Rajagounder, aged about 52 years, PID No.532778, confined at Central Prison, Salem.

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 husband, without escort, on the ground that the petitioner has certain medical ailments and she requires the presence of her husband for arranging funds for the treatment. Further, the detinue has undergone 1 year, 5 months and 19 days of imprisonment.

4.The learned Additional Public Prosecutor produced a copy of the Probation Officer's report dated 31.01.2025, in which, the Probation Officer has recommended for grant of leave as the reasons assigned by



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the petitioner is said to be true.

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5. Considering the fact that the Probation Officer has recommended for grant of 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 detenue viz., Raju, S/o.Rajagounder, aged about 52 years, PID No.532778, confined at Central Prison, Salem, is hereby granted emergency leave for a period of 6 days, without escort, commencing from 10.00 am on 21.02.2025 to 5 pm of 26.02.2025. On expiry of the leave, the detenu shall surrender before the prison authorities. During the period of leave, the prisoner shall report before the Inspector of Police, Magudanchavadi Police Station, daily at 05.00 p.m. 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.

7. Accordingly, the Writ Petition stands allowed. No costs.



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

07.02.2025

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Index: Yes/No
Speaking/Non-speaking order
Internet: Yes/No
Neutral Citation: Yes/No

Anu

Note: Issue Order Copy on 20.02.2024
Upload the order copy forthwith

To

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

2.The Superintendent,
Central Prison,
Salem-636 008.

3.The Inspector of Police,
Magudanchavadi Police Station

4.The Public Prosecutor,
High Court, Madras.



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and
N.SENTHILKUMAR, J.

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