



W.P.No.3120 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.3120 of 2025
and W.M.P.No.3433 of 2025

M.Jeyasudha

...Petitioner/ wife of the detenue

Vs.

The Superintendent of Prison,
Central Prison,
Cuddalore-607 004.

... 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 No.662744/Tha.Ku 2/2025 dated 20.01.2025 from the respondent, and quash the same and consequently, direct the respondent to grant 10 days emergency leave to the petitioner's husband, D.Maruthupandiyan, S/o.Duraisamy, aged 50 years, (PID No.366486) Convict Prisoner No.16997, confined at Central Prison, Cuddalore.

For Petitioner : Mr.P.Pugalenth

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 call for the records No.662744/Tha.Ku 2/2025 dated 20.01.2025 from the respondent, and quash the same and consequently, direct the respondent to grant 10 days emergency leave to the petitioner's husband, D.Maruthupandiyan, S/o.Duraisamy, aged 50 years, (PID No.366486) Convict Prisoner No.16997, confined at Central Prison, Cuddalore.

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

3. The petitioner herein seeks for grant of 10 days of emergency leave for her husband, without escort, on the ground that the prisoner has certain medical ailments viz., kidney problem, chest pain etc, which requires proper treatment. Further, the detenue has undergone 3 years, 3 months and 11 days of imprisonment.

4.The learned Additional Public Prosecutor produced a copy of the



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Probation Officer's report dated 04.02.2025, in which, the Probation Officer has recommended for grant of leave as the reasons assigned by the petitioner is said to be true.

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., D.Maruthupandiyan, S/o.Duraisamy, aged 50 years, (PID No.366486) Convict Prisoner No.16997, confined at Central Prison, Cuddalore, 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, Virudhahalam 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.



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

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Consequently, connected miscellaneous petition is closed.

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

07.02.2025

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 Superintendent of Prison,
Central Prison,
Cuddalore-607 004

2.The Inspector of Police,
Virudhahalam Police Station

3.The Public Prosecutor,
High Court, Madras.



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