



W.P.No.3850 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.3850 of 2025

Maraiya Sumalya

...Petitioner/daughter of the detainee

Vs.

The Superintendent of Prison,
Central Prison, Puzhal,
Chennai-600 066.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, to direct the respondent to grant 6 days emergency leave, without escort to the petitioner's father namely Chinnadurai, S/o.Mariyasebastin, aged about 60 years, Convict No.9084, Convict Prisoner, Central Prison, Puzhal, Chennai.

For Petitioner : Ms.S.Nadhiya

For Respondents : 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 respondent to grant 6 days emergency leave, without escort to the petitioner's father namely Chinnadurai, S/o.Mariyasebastin, aged about 60 years, Convict No.9084, Convict Prisoner, Central Prison, Puzhal, Chennai.

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

3. The petitioner herein seeks for grant of 6 days of emergency leave for her father, without escort, on the ground that her mother passed away on 27.01.2025 and the death ceremony rituals are going to be conducted on 05.02.2025 and 06.02.2025, for which the presence of the petitioner's father is required to perform the rituals and to make arrangements for the same.



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4.The learned Additional Public Prosecutor, on instructions, submitted that the Probation Officer has recommended for grant of leave as the reason assigned by the petitioner is true. He would submit that the prisoner is eligible for 6 days of emergency leave.

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 3 days in exercise of our powers under Article 226 of the Constitution of India.

6. Accordingly, the detenue viz., Chinnadurai, S/o.Mariyasebastin, aged 60 years, bearing Convict No.9084, confined at Central Prison, Puzhal, is hereby granted ordinary leave for a period of 3 days, without escort, commencing from 10.00 am on 05.02.2025 to 5 pm of 07.02.2025. On expiry of the emergency leave, the detenu shall surrender before the prison authorities. During the period of leave, the petitioner shall report before the Inspector of Police, H-1 Washermenpet Police Station, Chennai daily at 05.00 p.m. The Convict Prisoner shall utilize



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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.

[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

Note: Issue Order Copy on 04.02.2024
Upload the order copy forthwith

To

- 1.The Superintendent of Prison,
Central Prison, Puzhal,
Chennai-600 066.
- 2.The Inspector of Police,
H-1 Washermenpet Police Station,
Chennai.
- 3.The Public Prosecutor,
High Court, Madras.



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N.SENTHILKUMAR, J.

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