



W.P.No.4949 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2025

CORAM :

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

W.P.No.4949 of 2025

R.Sundari

...Petitioner/daughter of the detenue

Vs.

1.The State represented by its,
The Home Secretary to Government,
Home (Prison) Department, Secretariat,
Fort St. George, Chennai-600 009.

2.The Director General of Prisons,
Gandhi Irwin Road, CMDA Building,
2nd Tower, Egmore, Chennai-600 008

3.The Deputy Inspector General of Prison,
Madurai Range, Arasaradi, Madurai-625 016.

4.The Superintendent of Prison,
Central Prison at Palayamkottai,
Palayamkottai-627 002.

... 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 release the petitioner's father/convict namely Govindarajan, S/o.Bhagavathi Perumal, CT.No.6840, aged about 89 years, confined at



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Central Prison, Palayamkottai, for a period of 40 days, without escort.

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For Petitioner : Mr.M.Mohamed Saifulla
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 leave to the petitioner's father/convict namely Govindarajan, S/o.Bhagavathi Perumal, CT.No.6840, aged about 89 years, confined at Central Prison, Palayamkottai, for a period of 40 days, without escort.

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

3. Pending the Writ Petition, the Deputy Inspector General of Prison has passed an order in No.240/252/2024 dated 25.02.2025 granting 40 days of ordinary leave, without escort with a further condition that the prisoner shall execute a personal bond for a sum of



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Rs.500/-, together with two sureties, each for a like sum.

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4. Learned counsel for the petitioner would submit that the prisoner and his wife are aged persons and would not be in a position to secure two independent sureties for executing the bond.

5. We are in acceptance with the submissions of the learned counsel for the petitioner. Accordingly, the order passed by the Deputy Inspector General of Prison made in No.240/2024 dated 25.02.2025, granting 40 days of ordinary leave shall commence from 10.00 am on 14.03.2025 to 5 pm of 22.04.2025 and insofar it relates to condition No.2 is modified to the effect that the prisoner, Govindarajan, S/o.Bhagavathi Perumal, CT.No.6840, aged about 89 years, shall give an undertaking before the Superintendent of Prisons, Central Prison, Palayamkottai to maintain a good conduct and behaviour. There shall be a further condition that during the period of leave, the prisoner shall report before the Inspector of Police, H2 Guduvanchery Police Station, once in two weeks 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



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other activities. All the other observations and conditions made in the order of the Deputy Inspector General of Prison shall remain in tact.

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

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

07.03.2025

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

Anu

Note: Issue Order Copy on 13.03.2025

Upload the order copy forthwith

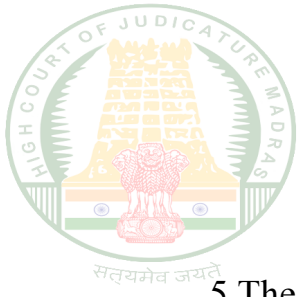
To

1.The Home Secretary to Government,
Home (Prison) Department, Secretariat,
Fort St. George, Chennai-600 009.

2.The Director General of Prisons,
Gandhi Irwin Road, CMDA Building,
2nd Tower, Egmore, Chennai-600 008

3.The Deputy Inspector General of Prison,
Madurai Range, Arasaradi,
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4.The Superintendent of Prison,
Central Prison at Palayamkottai,
Palayamkottai-627 002.



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5.The Inspector of Police,
H2 Guduvanchery Police Station

6.The Public Prosecutor,
High Court, Madras.



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