



WEB COPY

WP No. 9132 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-04-2025

CORAM

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

WP No. 9132 of 2025

Durgadevi
Wife Of Madhan, No.47 Udaiyar
Thottam, Mudaliarpet, Pondicherry
605004.

Petitioner(s)

Vs

1. State Rep By
The Chief Superintendent of Jails,
Puducherry.

2.State Rep By
The Inspector of Police, Mudaliarpet
Police Station, Pondicherry.

Respondent(s)

PRAYER

Directing the 1st respondent to grant ordinary parole for 30 days without escort to the petitioner's husband Mr.Madhan, Son of Mr.Ramalingam, bearing Convict



Prisoner No. 3138 confined at Central Jail Kalapet, Puducherry.

For Petitioner(s): M/s.T.Mathi

For Respondent(s): Mr.M.V.Ramachandramurthy
Additional Public Prosecutor
(Pondy)

ORDER

M.S.RAMESH, J.

and

N. SENTHILKUMAR, J.

This Writ Petition has been filed to grant ordinary parole leave for 30 days without escort to the petitioner's husband Mr.Madhan, Son of Mr.Ramalingam, bearing Convict Prisoner No. 3138 confined at Central Jail Kalapet, Puducherry.

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

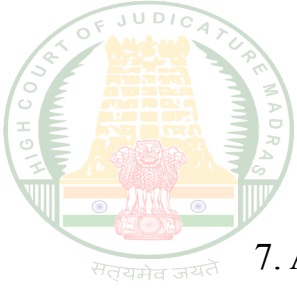
3.The petitioner herein seeks for grant of 30 days of ordinary leave for her husband, without escort, on the ground that the prisoner's younger daughter's Ear Piercing Ceremony is scheduled to be held on 04.05.2025 and hence, the presence of her husband/convict is very necessary for arranging funds for the ceremony and for the livelihood of their family.



4. The learned Additional Public Prosecutor appearing on behalf of the respondent filed counter affidavit stating that since the life convict has not fulfilled the condition of sub-rule (4) of Rule 832 of the Puducherry Prison Rules, 2021, he is not eligible for the grant of ordinary parole leave. However, it is further stated that the life convict inmate has been granted Emergency Leave on 46 occasions not exceeding 6 days on various spells since 2011 to 2024. Hence, he prayed to dismiss the present Writ Petition.

5. Considering the submission made by the learned counsel appearing on either side, 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 convict viz., Madhan, S/o.Ramaligam, bearing Convict No.3138, confined at Central Jail, Kalapet, Puducherry, is hereby granted Emergency Leave for a period of 6 days, **without escort**, commencing **from 10.00 am on 02.05.2025 to 05.00 p.m of 07.05.2025**. On expiry of the leave, the convict shall surrender before the prison authorities. During the period of leave, the prisoner shall report before the Inspector of Police, Mudaliarpur 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.RAMESH J.) (N.SENTHILKUMAR J.)
25-04-2025

ASI

Note: Issue order copy on or before 30.04.2025.



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To
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Puducherry.
- 2.State Rep By
The Inspector Of Police, Mudaliarpet
Police Station, Pondicherry.
3. The Public Prosecutor,
Pondicherry.



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