



WEB COPY



W.P.No.38475 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2025

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

W.P.No.38475 of 2024

Kavitha

Vs

... Petitioner(s)

1. The State Rep By Its
The Deputy Inspector General Of Prison,
Chennai Range, Gandhi Irwin Road, Egmore,
Chennai-600 008.

2. The Superintendent of Prison,
Central Prison at Puzhal -I,
Thiruvallur District- 600 066

... Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of mandamus to the respondents to grant 21 days ordinary leave without escort to the husband of the petitioner/convict, namely Mr. Ganesh Kumar, S/o. Sivaraj by considering petitioner's representation dated 14.11.2024.

For Petitioner(s):

Mr.M.Mohamed Saifulla

For Respondent(s):

Mr.R.Muniyapparaj,
Additional Public Prosecutor,for R1 & 2.



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ORDER

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The writ of mandamus has been instituted to direct the respondents to grant 21 days ordinary leave to the prisoner.

2. Mr.Muniapparaj, learned Additional Public Prosecutor would contend that the Probation Officer has conducted an enquiry and recommended the case of the prisoner for grant of ordinary leave.

3. The prisoner is in actual imprisonment for about 3 years and 6 days. Thus, he is eligible to avail 21 days ordinary leave under Suspension of Sentence Rules.

4. Taking note of the fact that the prisoner is maintaining good conduct inside the prison and the Probation Officer has also recommended the case of the prisoner for grant of ordinary leave, this Court is inclined to consider the present petition.

5. Accordingly, the convict prisoner viz.,Ganesh Kumar, S/o. Sivaraj, convict prisoner, Convict Prisoner No.8681(PID 382872) Central prison-I, Puzhal, Chennai, is hereby granted ordinary leave for a period of 21 days, without escort commencing from **11.01.2025** on the following conditions:-

(i) Respondents are directed to release the Convict Prisoner viz., S Ganesh Kumar, S/o. Sivaraj, convict prisoner,



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Convict Prisoner No.8681(PID 382872) Central prison-I, Puzhal, Chennai, on Ordinary Leave for a period of **21 days i.e., from 11.01.2025 to 31.01.2025.**

(ii) The Convict Prisoner shall be released on **11.01.2025** at 10.00 am and surrender before the Central Prison-I, Puzhal, Chennai, on **31.01.2025** at 05.00 p.m.

(iii) The Convict Prisoner is directed to report before the Inspector of Police, G2-Periyamedu Police Station, Chennai, twice in a week, i.e., on Monday and Thursday at 11.00 a.m., during the period of leave.

(iv) 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.

6. Accordingly, the writ petition stands allowed. No Costs.

[S.M.S., J.]

[M.J.R., J.]

08.01.2025

Index: Yes/No

Speaking/Non-speaking order

mrp

S.M.SUBRAMANIAM, J.

AND

M.JOTHIRAMAN, J.



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mrp

To

1. The Deputy Inspector General Of Prison,
Chennai Range, Gandhi Irwin Road,
Egmore, Chennai-600 008
2. The Superintendent of Prison,
Central Prison at Puzhal-1,
Thiruvallur District -600 066
3. The Public Prosecutor,
High Court of Madras.

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