



W.P.No.38593 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2025

CORAM :

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

W.P.No.38593 of 2024
WMP.No.41797 of 2024

Rahamathnisha

... Petitioner

Vs.

1.The State rep by its
The Deputy Inspector General of Prison
Gandhi Irwin Road,
Egmore, Chennai – 600008.

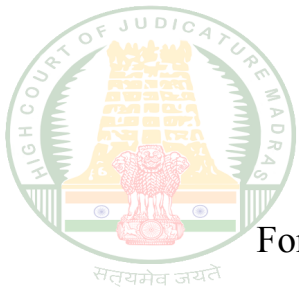
2. The Superintendent
Puzhal, Central Prison – I
Puzhal – 600 066.

... 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 connected with impugned order dated 06.11.2024 in proceedings No.455929/Thaku.2/2024 passed by the second respondent and quash the same and directing the respondents to grant emergency leave for 15 days without escort to the detenue, Abdul Siddiq s/o.Abdul Rasool aged about 27years bearing Convict No.10366 confined at Central Prison-I, Puzhal.

For Petitioner

: Ms.S.Sadhana



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For Respondents

: Mr.R.Muniapparaj
Additional Public Prosecutor

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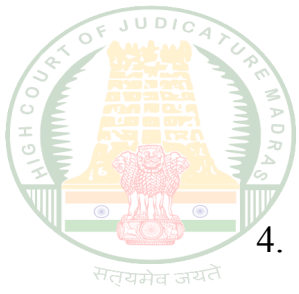
ORDER

(Order of the Court was made by M. JOTHIRAMAN, J.)

The unverified medical certificate issued by the Doctors cannot be trusted upon for the purpose of considering the leave application submitted by the prisoner under the suspension of sentence rules.

2. The medical records produced must substantiate the nature of the disease being suffered by the blood relatives of the prisoner or the prisoner as the case may be.

3. The Doctor certificate produced by the petitioner cannot be wholly believed in the absence of any evidence to establish the nature of treatment taken and the connected medical records. Therefore, we do not find any reasons to interfere with the order impugned. Since, the Jail Superintendent in the impugned order has categorically stated that in the event of producing the relevant medical records, the leave application submitted for emergency leave will be considered.



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4. Thus, the petitioner is at liberty to submit an authenticated medical records to establish the ailment suffered by the wife of the prisoner for the purpose of availing the leave, as per the rules in force.

5. With these above observation, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[S.M.S., J.]

[M.J.R., J.]

10.01.2025

Index: Yes/No

Speaking/Non-speaking order
tsh

To

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The Deputy Inspector General of Prison
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2. The Superintendent
Puzhal, Central Prison – I
Puzhal – 600 066.

3. The Public Prosecutor
High Court of Madras.



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S.M. SUBRAMANIAM, J.
AND
M. JOTHIRAMAN, J.

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