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W.P.(Crl.) No.1051 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.10.2025

C O R A M

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

AND

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.(Crl.) No.1051 of 2025

David Inbaraj,
aged 45 years
PID No.485763
S/o Rathinam,
Central Prison-I, Puzhal,
Chennai - 600 066

... Petitioner

-VS-

The Superintendent of Prisons,
Central Prison-I,
Puzhal,
Chennai - 600 066

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus to direct the respondent No.1 to grant emergency leave by without escort instead of with escort which was granted by the respondent to the petitioner, namely, David Inbaraj, S/o Rathinam, aged about 45 years, PID No.485763, Convict Prisoner, central Prison, Puzhal, Chennai.



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For Petitioner : Ms.S.Nadhiya

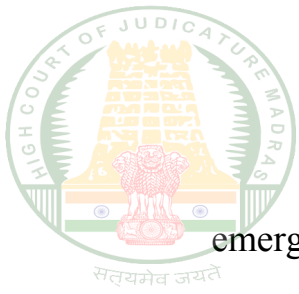
For Respondent : Mr.A.Gokulakrishnan
Addl. Public Prosecutor

ORDER

(The order of the Court was made by *J.Nisha Banu,J.*)

This Writ Petition has been filed to issue a Writ of Mandamus to direct the respondent to grant emergency leave without escort instead of with escort which was granted by the respondent to the petitioner, namely, David Inbaraj, S/o Rathinam, aged about 45 years, PID No.485763, Convict Prisoner, Central Prison, Puzhal, Chennai.

2. It is the case of the petitioner that he was arrested by the Tambaram Police in respect of Crime No.772/2013 and convicted and sentenced to undergo 10 years rigorous imprisonment for the offence under section 363 of IPC and under section 4 of POCSO Act vide judgment dated 19.11.2014 in Spl.Case.No.10 of 2014 by the Mahila Court, Chengalpettu. He would further state that he had undergone more than 3 years of imprisonment. His wife, Usha Sharma had been hospitalized and his presence is required to take care of her for her advanced medical treatment. He made an application before the respondent on 05.07.2025 to grant six days emergency leave without escort but he was granted six days



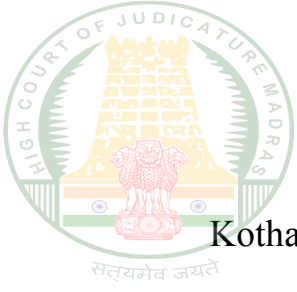
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emergency leave with escort, by the respondent. He belongs to a poor family and residing in a rental house. He has to make arrangements for his wife's medical treatment. Earlier, he availed 21 days ordinary leave without escort and returned without any adverse report. Hence, he would pray to grant six days emergency leave without escort.

3. Learned Additional Public Prosecutor has also stated that earlier, he was granted 21 days ordinary leave without escort and returned without any adverse report.

4. Considering the fact that the convict is inside prison for more than three years and that he has to arrange funds for treatment of his ailing wife, we are inclined to grant 6 days emergency leave without escort.

5. Accordingly, we direct the respondent to grant emergency leave to the petitioner, namely, David Inbaraj, S/o Rathinam, PID No.485763, confined in the Central Prison, Puzhal Chennai, for a period of 6 days *from 15.10.2025 to 21.10.2025* (by excluding the day on which the Convict is released from the prison) **without escort**, subject to the usual / other conditions that may be imposed by the respondents. The petitioner shall report before the jurisdictional Police i.e. Inspector of Police,



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Kothanur Police Station, Bangalore, Karnataka, daily at 10.00 a.m. The petitioner shall return back to the prison on or before 05.00 p.m. on 21.10.2025.

6. This Writ Petition is disposed of accordingly. No costs.

(J.N.B.J.,) (S.S.J.,)
13.10.2025

vsi

Note: Issue order copy on 14.10.2025

To

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

2. The Public Prosecutor,
High Court, Chennai.



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AND
S.SOUNTHAR, J.

vs1

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