



W.P.No.39062 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.01.2025

CORAM :

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE M.JOTHIRAMAN

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Mini

W/o Bhaskar

..

Petitioner

v.

The State represented by its

1. The Deputy Inspector General of Prison
Coimbatore Zone, Coimbatore

2. The Superintendent
Coimbatore Central Prison
Coimbatore

..

Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order bearing No.19881/Tha.Ku.3/2024 dated 08.12.2024 passed by the 2nd respondent and quash the same and consequently direct the respondents to grant 15 days of emergency leave without escort to the detenu Bhaskar, S/o Ramasamy, aged about 40 years, bearing Convict PID No.172800 at Central Prison, Coimbatore.

For Petitioner

::

Mr.M.Ezhilarasu for
Mr.A.Sivakumar



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For Respondents :: Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

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

W.M.P.No.42312 of 2024 seeking to dispense with the production of original impugned order stands ordered.

2. The rejection of emergency leave application in proceeding dated 08.12.2024 is sought to be assailed in the present writ petition. The prisoner is in actual imprisonment for about seven years and two months and there is no adverse conduct noticed inside the prison. The prisoner availed the benefit of ordinary leave on earlier occasion from 25.03.2024 to 21.04.2024. Even during the earlier leave period, the prisoner maintained good conduct outside the prison. The Probation Officer recommended for grant of ordinary leave since the reason stated in the leave application is found to be correct. The mother of the prisoner is sick and the prisoner has to attend his mother. Taking note of the facts and circumstances, we are



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inclined to consider the present writ petition and pass the following order:-

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- (i) The impugned order passed by the 2nd respondent dated 08.12.2024 is set aside.
- (ii) The prisoner, namely, Baskar, S/o Ramasamy, Convict No.24417 (PID No.172800), is granted six days emergency leave without escort.
- (iii) The leave shall commence from 25.01.2025 10.30 A.M., and the prisoner shall surrender before the second respondent by 5.30 P.M., on 30.01.2025.
- (iv) The prisoner shall appear before the Aralvaimozhi Police Station, Kanyakumari District on 27.01.2025 & 29.01.2025 at 10.30 A.M. during the period of leave.

The writ petition stands allowed on the above terms. No costs.

Index : yes

Neutral citation : yes/no

(S.M.S.,J.) (M.J.R.,J.)

22.01.2025

ss

To

1. The Deputy Inspector General of Prison
Coimbatore Zone, Coimbatore
2. The Superintendent
Coimbatore Central Prison
Coimbatore



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3. The Inspector of Police
Aralvaimozhi Police Station
Kanyakumari District

4. The Public Prosecutor
High Court, Madras



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S.M.SUBRAMANIAM,J.

AND

M.JOTHIRAMAN,J.

SS

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