



WEB COPY



W.P.No.39073 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.01.2025

CORAM :

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

W.P.No.39073 of 2024

Anees Unnissha
W/o Sathiq Basha

.. Petitioner

v.

1. The Secretary to Government
Department of Law, Courts and Prisons
Secretariat, Chennai

2. The Director General of Prisons
Thalamuthu Natarajan Maligai
Gandhi Irwin Road
Chennai 600 008

3. The Superintendent of Prisons
Central Prison, Puzhal
Chennai

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the Superintendent of Prisons, Central Prison, Puzhal, Chennai, the 3rd respondent herein to extend the leave granted to the petitioner by another 15 days from 18.12.2024.



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For Petitioner :: Mr.R.Rajan

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

ORDER

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

The learned counsel for petitioner would submit that the prisoner is in actual imprisonment from 21.02.2015 onwards. He was convicted to undergo ten years sentence, out of which he has already completed more than nine years. The petitioner states that the prisoner is suffering from various ailments and has to undergo medical treatment.

2. The learned Additional Public Prosecutor would object by stating that the prisoner has availed leave very recently.

3. Since the prisoner has already undergone more than nine years of imprisonment out of ten years sentence and considering the reason that he has to undergo medical treatment, this Court is inclined to consider the present petition and pass the following order:-



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(i) The prisoner, namely, Sadiq Basha, S/o Saleem Basha, Convict No.7132, is granted ten days ordinary leave without escort.

(ii) The leave shall commence from 03.02.2025 10.30 A.M., and the prisoner shall surrender before the third respondent by 5.30 P.M., on 12.02.2025.

(iii) The prisoner shall appear before the D-3, Ice House Police Station, Chennai on 05.02.2025, 07.02.2025 and 10.02.2025 at 11.00 A.M. during the period of leave.

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

Index : yes

Neutral citation : yes/no

ss

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

29.01.2025

To

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Department of Law, Courts and Prisons
Secretariat, Chennai

2. The Director General of Prisons
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Gandhi Irwin Road
Chennai 600 008

3. The Superintendent of Prisons
Central Prison, Puzhal
Chennai

4. The Inspector of Police



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D-3, Ice House Police Station
Chennai

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5. The Public Prosecutor
High Court, Madras



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S.M.SUBRAMANIAM,J.

AND

M.JOTHIRAMAN,J.

SS

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