



W.P(MD) No.1187 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 21.01.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MS.JUSTICE R.POORNIMA**

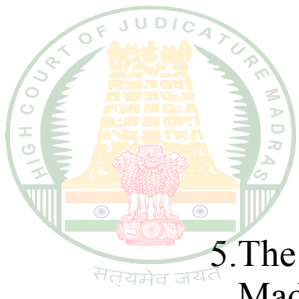
W.P(MD) No.1187 of 2025

Ponnuthai

... Petitioner

Vs.

- 1.The Secretary to Government,
Home Department (Prison),
Government of Tamil Nadu,
Secretariat,
St.George Fort,
Chennai-9.
- 2.The Additional Director General of Police (Prisons)/
The Inspector General of Police,
Office of ADGP (Prisons)/I.G of Prisons,
Thalamuthu Natarajar Maaligai,
Egmore,
Chennai-8.
- 3.The Superintendent of Police,
Central Prison,
Madurai.
- 4.The Superintendent of Police,
Virudhunagar District.



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5.The Deputy Inspector General of Prison,
Madurai.

6.The Superintendent of Prison,
Open Air Prison,
Kalaiyarkoil,
Sivagangai District.
(R5 & R6 were suo motu impleaded
by this Court vide order dated 21.01.2025)

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to grant 21 days ordinary leave without escort to the petitioner's husband namely Packiaraj S/o.Irulan a life convict prisoner now confined at Central Prison, Madurai by considering the petitioner's representation dated 17.12.2024.

For Petitioner : Mr.AK.Azhagarsami

For Respondents : Mr.T.Senthil Kumar,
Additional Public Prosecutor.

ORDER

(Order of the Court was made by **G.R.SWAMINATHAN, J.**)

Heard both sides.



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2. The petitioner's husband is undergoing life sentence in Open Air Prison, Kalaiyarkoil, Sivagangai District. He has so far spent three years and eight months in prison. He is eligible for 21 days ordinary leave.

3. Though the learned Additional Public Prosecutor submitted that the petitioner has not given proper reasons for availing leave, we are of the view that indulgent view can be taken. The learned counsel for the petitioner states that the convict has to execute a gift deed in favour of his son. We direct the DIG of Prisons, Madurai to grant 10 days ordinary leave for the convict without escort.

4. Accordingly, the convict-prisoner is granted ordinary leave for 10 days without escort on the following conditions :-

(a) The convict prisoner, Packiaraj S/o.Irulan now detained in the Open Air Prison, Kalayarkoil, Sivagangai District, is granted ordinary leave for 10 days from 24.01.2025 to 02.02.2025.

(b) The convict prisoner shall be released from the prison at 5.00 p.m., on 23.01.2025 and he shall return back to the prison at 10.00 a.m., on 03.02.2025.



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(c) During the said leave period, he shall report before the Inspector of Police, Tiruchuli Police Station, Virudhunagar District, daily at 07.00 p.m., from 24.01.2025 onwards, without fail.

(d) During the leave period, the convict prisoner shall abide by all the conditions prescribed in the Jail Manual.

5. With the above direction, the Writ Petition stands allowed. No costs.

(G.R.S., J.) (R.P., J.)
21.01.2025
(1/2)

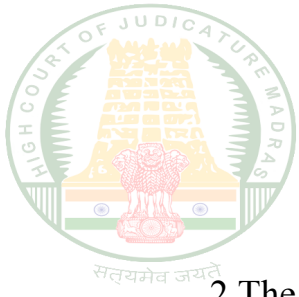
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Internet : Yes / No
NCC : Yes / No
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NOTE: Issue Order Copy on 22.01.2025

To

1. The Secretary to Government,
Home Department (Prison),
Government of Tamil Nadu,
Secretariat,
St. George Fort,
Chennai-9.

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2.The Additional Director General of Police (Prisons)/

The Inspector General of Police,
Office of ADGP (Prisons)/I.G of Prisons,
Thalamuthu Natarajar Maaligai,
Egmore,
Chennai-8.

3.The Superintendent of Police,
Central Prison,
Madurai.

4.The Superintendent of Police,
Virudhunagar District.

5.The Deputy Inspector General of Prison,
Madurai.

6.The Superintendent of Prison,
Open Air Prison,
Kalaiyarkoil,
Sivagangai District.

7.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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AND
R.POORNIMA, J.

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