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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.01.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MS.JUSTICE R. POORNIMA

W.P.(MD)No.1709 of 2025

D.Bakiyam ... Petitioner

Vs.

1. State of Tamil Nadu,
   Rep. By the Principal Secretary to Government,
   Home (Prison IV) Department,
   Secretariat, Fort St. George,
   Chennai – 600 009.

2. The Director General of Prisons,
   O/o.Tamil Nadu Prisons Headquarters,
   Whannels Road, Egmore,
   Chennai – 600 008.

3. The Deputy Inspector General of
   Prisons and Correctional Services,
   Trichy Range, Race Course Road,
   Trichy – 620 023.

4. The Superintendent of Prison,
   Central Prison,
   Trichy – 620 020.

5. The Superintendent of Police,
   O/o.The Superintendent of Police,
   Dindigul District.

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6. The Superintendent of Police,
O/o.the Superintendent of Police,
Trichy District. ... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to grant ordinary leave for 3 months without police escort to undergo medical surgery and for better treatment in private hospital to the petitioner's son namely Karthikeyan, S/o Dhas @ Thulasidhas, Life Convict, bearing Convict Prisoner No. 21122, PID No. 13184, confined at Central Prison, Trichy on the basis of the representation given by the petitioner's son dated 13.01.2025.

For Petitioner : Mr.K.A.S.Prabhu

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

* * *

O R D E R

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

Heard both sides.

2. The petitioner seeks three months ordinary leave for her son who is undergoing life sentence in Central Prison, Trichy. It is true that the petitioner's son had already undergone 9 years and 9 months

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in prison. He was granted ordinary leave from 07.12.2024 to 03.01.2025. He was not eligible for the next one year. In any event, no person will be entitled to ordinary leave for three months. The person is suffering only from Pansinusitis. For this ailment, definitely, the treatment facilities will be available in Government Hospital.

3. We are not satisfied that a case for grant of relief has been made out. This writ petition stands dismissed. The jail authorities are directed to ensure that the convict is given appropriate treatment in Government Hospital itself. No costs.

(G.R.SWAMINATHAN, J.) & (R. POORNIMA, J.)
23rd January 2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
PMU

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To:

1. The Principal Secretary to Government,
   Home (Prison IV) Department,
   Secretariat, Fort St. George,
   Chennai – 600 009.

2. The Director General of Prisons,
   O/o.Tamil Nadu Prisons Headquarters,
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5. The Superintendent of Police,
   O/o.The Superintendent of Police,
   Dindigul District.

6. The Superintendent of Police,
   O/o.the Superintendent of Police,
   Trichy District.

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

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R.POORNIMA, J.

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