



WEB COPY



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W.P.(MD)NO.1715 OF 2025

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.1715 of 2025

Vijaya

... Petitioner

Vs.

1. The Deputy Inspector General of Prison,
O/o.the Deputy Inspector General of Prison
and Correctional Services,
Madurai Range,
Madurai Central Prison Campus,
New Jail Road,
Madurai.

2. The Superintendent of Prison,
Palayamkottai Central Prison,
Tirunelveli District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to set aside the impugned order of Respondent No.1 to grant 8 days ordinary leave with escort in No.852/ Vu.Tha.2/ 2024 dated 21.11.2024 and directing the Respondents to grant ordinary leave without escort to the petitioner's brother and life convict namely



Kannan @ Seenivasan in CP.No. 2193 who is languishing in Palayamkottai Central Prison, Tirunelveli for the past 7 years.

For Petitioner : Mr.SMA.Jinnah

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

* * *

ORDER

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

Heard both sides.

2. The petitioner's brother(Kannan @ Seenivasan) is undergoing life sentence at Central Prison, Palayamkottai (Convict Prisoner No.2193). He had so far spent 7 years and 11 months in prison. He was granted 28 days ordinary leave by the first respondent vide proceedings dated 21.11.2024. The petitioner feels aggrieved by the imposition of the condition that the person will be accompanied by escort. Challenging the said condition, this writ petition has been filed.

3. After going through the materials on record, we are satisfied that the ordinary leave can be granted without escort. The



aforesaid condition in the proceedings dated 21.11.2024 is set aside.

All other conditions would remain. This writ petition stands allowed in the following terms:-

(a)The convict prisoner, Kannan @ Seenivasan[Convict Prisoner No.2193], now detained in the Central Prison, Palayamkottai, is granted ordinary leave without escort for twenty eight (28) days from 27.01.2025 to 23.02.2025.

(b) The convict prisoner shall be released from the prison at 5.00 pm., on 26.01.2025 and he shall return to the prison at 10.00 am., on 24.02.2025.

(c) During the said leave period, he shall report before the Inspector of Police, Sankarankoil police station, Tirunelveli District daily at 7.00 p.m., from 27.01.2025 onwards, without fail.

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



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

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

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

Note : Issue order copy on 24.01.2025

To:

1. The Deputy Inspector General of Prison,
O/o.the Deputy Inspector General of Prison
and Correctional Services,
Madurai Range,
Madurai Central Prison Campus,
New Jail Road,
Madurai.
2. The Superintendent of Prison,
Palayamkottai Central Prison,
Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to :

The Inspector of Police,
Sankarankoil police station,
Tirunelveli District.



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AND

R.POORNIMA, J.

PMU

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