



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 24.03.2025

CORAM:

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
AND
THE HON'BLE MS JUSTICE R.POORNIMA**

W.P(MD)No.7560 of 2025

Velayutham

... Petitioner/Father of the detenu

.Vs.

1.The State , represented by its

1.The Deputy Inspector General of Prison,
Madurai Zone(Central Prison),
Madurai – 625 001.

2.The Superintendent,
Central Prison Palayamkottai,
Palayamkottai – 627 002.

3.The Superintendent of Police,
Office of the Superintendent of Police,
Thoothukudi ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of mandamus directing the respondents to grant ordinary leave for 40 days without



escort to the detenu Sundaralingam @ Karuppasamy, son of Velayutham, aged about 43 years, confined at Central Prison, Palayamkottai.

For Petitioner : Mr.S.Manoharan
For R1 to R3 : Mr.A.Thiruvdi Kumar
Addl.Public Prosecutor

ORDER

DR.G.JAYACHANDRAN., J
AND
R.POORNIMA.,J

This Writ Petition is filed seeking issuance of a Writ of Mandamus directing the respondents to grant ordinary leave for 40 days without escort to the detenu Sundaralingam @ Karuppasamy, son of Velayutham, aged about 43 years, confined at Central Prison, Palayamkottai.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.



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3.Writ of Mandamus seeking ordinary leave for 40 days based on the representation, dated 15.2.2025 came up for consideration before this Court and at that time, the learned Additional Public Prosecutor appearing for the respondents 1 to 3 stated that the respondents have positively considered the representation and granted 28 days of ordinary leave without escort to the convict. However, the learned counsel for the Petitioner state that the convict is aged 45 years and he had earlier availed emergency leave and ordinary leave without escort and he had returned to the prison without any adverse remarks after expiry of the leave period. While so, on the order passed by the prison authorities granting leave, the learned counsel for the Petitioner submitted that earlier the convict was granted emergency leave or ordinary leave and he has returned to the prison on expiry of leave without any adverse remarks. Therefore he may be permitted to avail 28 days of ordinary leave without escort.



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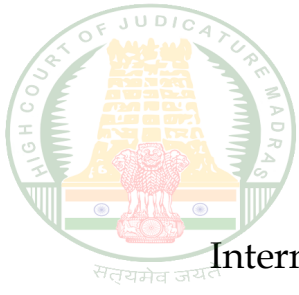
4.The learned Additional Public Prosecutor appearing for the respondents 1 to 3 submitted that in view of the report given by the jurisdictional Police, the Prison Authorities thought it fit that the leave should be granted without escort.

5.This Court, after perusing the records is of the opinion that since on an earlier occasion, the convict has behaved properly without any adverse remarks and hence, he may be permitted to avail the leave without any escort, but on condition to report before the Jurisdictional Police twice daily at 10 a.m and 5.30 p.m during the leave period and report before the Prison Authorities on expiry of the leave period.

6.With the above directions, the Writ Petition stands disposed of.

[G.J.,J.] [R.P.,J.]
24.03.2025

NCS : Yes/No
Index : Yes / No



Internet : Yes / No

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vsn

To

- 1.The Deputy Inspector General of Prison,
Madurai Zone(Central Prison),
Madurai – 625 001.
- 2.The Superintendent,
Central Prison Palayamkottai,
Palayamkottai – 627 002.
- 3.The Superintendent of Police,
Office of the Superintendent of Police,
Thoothukudi

DR.G.JAYACHANDRAN, J.
and
R.POORNIMA, J.

vsn

ORDER MADE IN



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