



W.P(MD) No.31409 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 02.01.2025

CORAM

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

W.P(MD) No.31409 of 2024

Arokiya Mary

... Petitioner

Vs.

1.The State of Tamil Nadu
represented by its
The Deputy Inspector General of Prison,
Madurai Zone,
Madurai Central Prison,
Madurai-625 016.

2.The Superintendent of Prison,
Central Prison,
Palayamkottai,
Tirunelveli-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, to direct the



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respondents to grant ordinary leave for 40 days without escort to the petitioner's father, the prisoner, Sakkarai, S/o.Anthony Siluvai, Convict No.3408, detained at Central Prison, Palayamkottai.

For Petitioner : Mr.R.Narayanan

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

ORDER

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

Heard both sides.

2. The petitioner's father is undergoing 10 years rigorous imprisonment in Central Prison, Palayamkottai. He was convicted for having committed the offence under POCSO Act, 2012. He has so far spent 9 years in prison.

3. Though the offences in which the convict was involved are grave in nature, taking into account the fact that he is aged about 74 years and considering the medical condition of the wife of the convict, we direct the second respondent to grant ordinary leave for 28 days without escort.



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4. Accordingly, the convict-prisoner is granted ordinary leave for 28 days without escort on the following conditions :-

(a)The convict prisoner, Sakkarai S/o.Anthony Siluvai (Convict No.3408) now detained in the Central Prison, Palayamkottai, is granted ordinary leave for 28 days from 06.01.2025 to 02.02.2025.

(b) The convict prisoner shall be released from the prison at 5.00 p.m., on 05.01.2025 and he shall return back to the prison at 10.00 a.m., on 03.02.2025.

(c) During the said leave period, he shall report before the Inspector of Police, Thalamuthunagar Police Station, Thoothukudi District, daily at 06.00 p.m., from 06.01.2025 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.)
02.01.2025

Index : Yes / No

Internet : Yes / No

NCC : Yes / No

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NOTE:Issue Order Copy on 03.01.2025

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To

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Madurai Zone,
Madurai Central Prison,
Madurai-625 016.
- 2.The Superintendent of Prison,
Central Prison,
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Tirunelveli-627 002.
- 3.The Superintendent of Police,
Office of the Superintendent of Police,
Thoothukudi.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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