



W.P.No.6843 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 13.03.2024

CORAM :

**THE HONOURABLE MR. JUSTICE M.S.RAMESH**

**AND**

**THE HONOURABLE MR. JUSTICE SUNDER MOHAN**

W.P.No.6843 of 2024

Sonia

... Petitioner

Vs.

1.State represented by its  
The Deputy Inspector General of Prison,  
Vellore Zone, Thorapadi,  
Vellore District.

2. The Superintendent,  
Vellore Central Prison, Vellore-II,  
Vellore District.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue Writ of Mandamus, directing the respondent to grant ordinary leave for 21 days (17.03.2024) (without police escort) by considering the petitioner's representation dated 18.01.2024 to the convicted prisoner Selvamani, Son of Selvaraj, Convict No.1176, Central Prison, Vellore.



WEB COPY



W.P.No.6843 of 2024

For petitioner : Mr. R. Sankarasubbu  
For Respondents : Mr.E. Raj Thilak  
Additional Public Prosecutor  
Assisted by Mr.Aravind C.

### **ORDER**

(Order of the Court was delivered by **M.S.RAMESH, J.**)

Through an earlier order dated 22.02.2024, passed in W.P. No. 4353 of 2024, we had granted 21 days of ordinary leave to the convict Prisoner, namely, Selvamani, S/o. Selvaraj, Convict No.1176,without escort, for the period from 26.02.2024 to 17.03.2024, with a condition that he should appear before the concerned jurisdictional police daily at 10.30. a.m.

2. In the present Writ Petition, the petitioner seeks for a direction to the respondent to consider her representation dated 18.01.2024 to extend the ordinary leave to her husband/ convict prisoner, for a further period of 21 days from 18.03.2024.



W.P.No.6843 of 2024

3. Learned Additional Public Prosecutor submitted that, pursuant to the earlier order, the prisoner has been reporting regularly before the Vaniyampadi Police Station daily at 10.30 a.m.

4. The reason assigned by the petitioner for extension of leave to her husband is that the construction of her house is at midway and she needs his presence for a further time to complete the construction.

5. Under Rule 22(2)(b) of the Tamil Nadu Suspension of Sentence Rules, 1982, the prisoner shall be entitled for ordinary leave for a period of 21 days during the 4th and 5th years of imprisonment and not exceeding 28 days during the rest of the term of imprisonment. In the instant case, the prisoner has been sentenced to 7 years of imprisonment and therefore, in terms of Rule 22 (2) (b) of the Tamil Nadu Suspension of Sentence Rules, 1982, he would be entitled to a total number of 28 days of ordinary leave. Since he has already been granted ordinary leave for a period of 21 days, he would still be eligible for seven more days.



W.P.No.6843 of 2024

6. Accordingly, the convict prisoner namely, Selvamani, S/o. Selvaraj,

Convict No.1176, is granted ordinary leave, without escort, for a period commencing from 18.03.2024 to 24.03.2024. During the period of this ordinary leave, the convict prisoner shall report before the Vanniyampadi Town Police Station, Thirupathur District, daily at 10.30 a.m. On expiry of the ordinary leave, the convict prisoner shall surrender before the jail authorities by 5.00 p.m. on 25.03.2024.

7. With the above directions, the Writ Petition stands partly allowed.

[M.S.R., J] [S.M., J]  
13.03.2024

bga

Index : Yes / No

Neutral Citation : Yes / No

**Note to office : Issue Order Copy on 15.03.2024**

**Upload the order copy forthwith .**

To

1.The Deputy Inspector General of Prison,  
Vellore Zone, Thorapadi,  
Vellore District.

4/6



W.P.No.6843 of 2024

2. The Superintendent,  
Vellore Central Prison, Vellore-II, Vellore District.

WEB COPY



WEB COPY



W.P.No.6843 of 2024

**M.S.RAMESH, J.**  
**and**  
**SUNDER MOHAN, J.**

bga

W.P.No.6843 of 2024

**13.03.2024**