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W.P.No.8250 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.04.2024

CORAM :

THE HON'BLE MR. JUSTICE M.S.RAMESH
AND
THE HON'BLE MR.JUSTICE SUNDER MOHAN

W.P.No.8250 of 2024

Sneha

...Petitioner

VS.

1. The State rep by its,
The Deputy Inspector General of Prison,
Office of Deputy Inspector General of Prison,
Vellore Range, Ramset Nagar, Thorapadi, Vellore – 2.

2. The Superintendent of Prison,
Central Prison at Vellore, Ramset Nagar,
Thorapadi, Vellore – 2.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorified Mandamus, to call for the records in pertaining with the impugned order in No.5832/த.கு.3/2024 dated 28.02.2024 passed by the second respondent and quash the same directing the respondents to grant 60 days leave to the husband of the



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petitioner/convict namely Mr.Dhinakaran S/o. Thilagar, Convict Prisoner (CT No-3420) who is confining at 2nd respondent prison.

For Petitioner :: Mr.M.Mohamed Saifulla

For Respondents :: Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

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

The prayer in the present writ petition is for grant of ordinary leave for 60 days for the petitioner's husband viz., Mr.Dhinakaran S/o. Thilagar, Convict Prisoner (CT No-3420) who is confining at Central Prison, Vellore.

2. Mr.E.Raj Thilak, the learned Additional Public Prosecutor produced the Probation Officer's report dated 04.04.2024, in which, it is stated that the reasons for the convict prisoner's presence are required for providing financial assistance for his family's survival and also that the prisoner's wife is expecting to deliver a child during the first week of May 2024, are true and the Probation Officer has recommended for the grant of leave to the Convict Prisoner.



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3. In view of the positive report of the Probation Officer dated 04.04.2024 and also by taking note of the fact that the reasons assigned by the Convict Prisoner, we are inclined to allow the writ petition.

4. Accordingly, we permit the petitioner's husband/Convict Prisoner namely Mr.Dhinakaran S/o. Thilagar, bearing convict no.3420, confined at Central Prison, Vellore, to avail Ordinary Leave for a period of 28 days without escort, on the following conditions.

(i) Respondents are directed to release the Convict Prisoner namely Mr.Dhinakaran S/o. Thilagar, bearing convict no.3420, confined at Central Prison, Vellore, on Ordinary Leave for a period of 28 days i.e., from 29.04.2024 to 26.05.2024.

(ii) The Convict Prisoner shall be released on 29.04.2024 at 10.00 a.m. and surrender before the Superintendent of Prison, Central Prison Vellore, on 26.05.2024 at 05.30 p.m.

(iii) The Convict Prisoner is directed to report before the Ambur Town, Police Station, Tirupathur District, twice a week i.e., on every Monday and Thursday at 05.00 p.m., during the period of leave.



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(iv) The Convict Prisoner shall utilize the leave only for the ground on which it has been granted and shall not indulge in any other activities.

5. With the above directions, the writ petition stands allowed.

(M.S.R.,J.) (S.M.,J.)
16.04.2024

Speaking / Non-Speaking Order
Neutral Citation : Yes / No
dk

Note to Registry:

1. Issue order copy by 26.04.2024.
2. Upload the order copy forthwith.

Copy to:-

1. The Deputy Inspector General of Prison,
Office of Deputy Inspector General of Prison,
Vellore Range, Ramset Nagar, Thorapadi, Vellore – 2.
2. The Superintendent of Prison,
Central Prison at Vellore, Ramset Nagar,
Thorapadi, Vellore – 2.
Ramset Nagar, Thorapadi, Vellore – 2
3. The Public Prosecutor
High Court, Madras.



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