



W.P.No.8223 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.8223 of 2024

Sulochana

...Petitioner

vs.

1.The State rep by its,
The Home Secretary (Prison Dept.),
St.George Fort, Chennai – 600 009.

2.The Deputy Inspector General of Prison,
Office of Deputy Inspector General of Prison,
Vellore Range, Ramset Nagar,
Thorapadi, Vellore – 2.

3.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 Mandamus, to the respondents to grant 30



W.P.No.8223 of 2024

days Ordinary leave without escort to the husband of the petitioner namely Mr.Vetrivel S/o.Palani who is confining at 3rd respondent in pursuance of the petitioner's representation dated 08.03.2024.

For Petitioner :: Mr.M.Mohamed Saifulla
For Respondents :: Mr.E.Raj Thilak
Additional Public Prosecutor
Assisted by
Mr.C.Aravind

ORDER

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

This writ petition has been filed to direct the respondents to grant 30 days Ordinary leave without escort to the husband of the petitioner namely Mr.Vetrivel S/o. Palani who is confining at 3rd respondent in pursuance of the petitioner's representation dated 08.03.2024.

2. In the affidavit filed in support of the present writ petition, it is stated that the leave is required for arranging funds for their children's educational expenses.



W.P.No.8223 of 2024

3. Mr.E.Raj Thilak, the learned Additional Public Prosecutor produced the copy of the Probation Officer's report dated 01.04.2024, wherein, the Probation Officer has recommended for grant of leave to the Convict Prisoner with escort. The learned Additional Public Prosecutor also submitted that during the period of imprisonment, the prisoner has not availed any other leave.

4. Though the Probation Officer has recommended for grant of leave, the condition stated therein is that the leave could be granted with escort. Since no specific reason has been given for suggesting escort, we are inclined to grant 21 days of ordinary leave without escort.

5. Accordingly, we permit the petitioner's husband/Convict Prisoner namely Mr.Vetrivel S/o.Palani, bearing convict no.624, confined at Central Prison, Vellore, to avail Ordinary Leave for a period of 21 days without escort, on the following conditions.

(i) Respondents are directed to release the Convict Prisoner namely Mr.Vetrivel S/o.Palani, bearing



W.P.No.8223 of 2024

convict no.624, confined at Central Prison, Vellore, on Ordinary Leave for a period of 21 days i.e., from 22.04.2024 to 12.05.2024.

(ii) The Convict Prisoner shall be released on 22.04.2024 at 10.00 a.m. and surrender before the Superintendent of Prison, Central Prison Vellore, on 12.05.2024 at 05.30 p.m.

(iii) The Convict Prisoner is directed to report before the Pappireddipatti Police Station, Dharmapuri District, during which time, he shall report twice a week i.e., Monday and Thursday at 05.00 p.m.

(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.

6. 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 18.04.2024.

2.Upload the order copy forthwith.



W.P.No.8223 of 2024

Copy to:-

1.The Home Secretary (Prison Dept.),
St.George Fort, Chennai – 600 009.

2.The Deputy Inspector General of Prison,
Office of Deputy Inspector General of Prison,
Vellore Range, Ramset Nagar,
Thorapadi, Vellore – 2.

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

4.The Public Prosecutor,
High Court, Madras.



WEB COPY



W.P.No.8223 of 2024

M.S.RAMESH,J.

AND

SUNDER MOHAN,J.

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W.P.No.8223 of 2024

16.04.2024