



WEB COPY



W.P.No.15194 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2024

CORAM:

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

W.P.No.15194 of 2024

Mr.Sakthivel

...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 days Ordinary leave, without escort to the petitioner namely Mr.Sakthivel



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S/o.Muniyappan who is confining in 3rd respondent in pursuance of the petitioner's wife representation dated 09.05.2024.

For Petitioner :: Mr.M.Mohamed Saifulla
For Respondents :: Mr.A.Gokulakrishnan
 Additional Public Prosecutor

ORDER

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

This writ petition has been filed to direct the respondents to grant 30 days ordinary leave without escort to the petitioner namely Mr.Sakthivel S/o.Muniyappan aged about 38 years, Convict Prisoner, confined at Central Prison, Vellore, Ramset Nagar, Thorapadi, Vellore – 2.

2. In the affidavit filed in support of the present writ petition, it is stated that the leave is required to make arrangements for the livelihood of the petitioner's family.



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3. Mr.A.Gokulakrishnan, the learned Additional Public Prosecutor for the respondents, produced the copy of the Probation Officer's report dated 26.06.2024, wherein, the Probation Officer has recommended for grant of leave to the Convict Prisoner with escort.

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 24 days of ordinary leave, ***without escort***.

5. Accordingly, we permit the petitioner/Convict Prisoner, namely Mr.Sakthivel S/o.Muniyappan, aged about 38 years, confined at Central Prison, Vellore, Ramset Nagar, Thorapadi, Vellore – 2, to avail Ordinary Leave for a period of 24 days ***without escort***, on the following conditions.

(i) Respondents are directed to release the Convict Prisoner namely Mr.Sakthivel S/o.Muniyappan aged about 38 years, confined at Central Prison, Vellore, Ramset Nagar, Thorapadi, Vellore – 2, on Ordinary Leave for a period of 24 days i.e., from 16.07.2024 to 08.08.2024.



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(ii) The Convict Prisoner shall be released on 16.07.2024 at 10.00 a.m. and surrender before the Superintendent of Prison, Central Prison, Vellore, Ramset Nagar, Thorapadi, Vellore – 2 on 08.08.2024 at 05.30 p.m.

(iii) The Convict Prisoner is directed to report before the Palacode Police Station, Dharmapuri, daily at 05.00 p.m., during the period of leave.

(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.)
10.07.2024

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

Note to Registry:

1. Issue order copy by **15.07.2024.**
2. Upload the order copy forthwith.



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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.



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