



WEB COPY



W.P.No.15280 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.15280 of 2024

Karthik ...Petitioner/Father of the detenu

vs.

The State represented by its,

1.The Secretary to the Government of Tamil Nadu,
Department of Home,
Fort St.George,
Chennai - 600 009.

2.The Deputy Inspector General of Prison,
Vellore Range,
Vellore – 632 001.

3.The Superintendent
Central Prison Vellore,
Vellore – 632 001.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India,
praying for issuance of a Writ of Mandamus, directing the respondents to
grant 30 days ordinary leave without escort to detenu, Ashwin S/o.Karthick,



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aged about 31 years, bearing Convict No – 3118, confined at Central Prison, Vellore.

For Petitioner :: Mr.P.Bakiyaraj
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 of ordinary leave without escort to the petitioner's son, Convict Prisoner, Mr.Ashwin S/o.Karthick, CT-3118, who is now confined at Central Prison, Vellore.

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.

3. Mr.A.Gokulakrishnan, the learned Additional Public Prosecutor,



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produced the copy of the Probation Officer's report dated 05.07.2024, wherein he has not recommended for the grant of leave to the Convict Prisoner namely Mr.Ashwin S/o.Karthick, CT-3118, who is now confined at Central Prison, Vellore..

4. Though the Probation Officer had not recommended for grant of ordinary leave, we have taken note of the fact that the prisoner has been in prison for 7 years, and 12 days, and he had come out on leave for only 6 days. Hence, we are inclined to exercise our powers under Article 226 of the Constitution of India to grant 21 days of ordinary leave, ***without escort***, to the Convict Prisoner.

5. Accordingly, we permit the petitioner's son/Convict Prisoner namely, Mr.Ashwin S/o.Karthick, CT-3118, who is now 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.Ashwin S/o.Karthick, CT-3118,



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who is now confined at Central Prison, Vellore, on Ordinary Leave for a period of 21 days i.e., from 16.07.2024 to 05.08.2024.

(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, on 05.08.2024 at 05.30 p.m.

(iii) The Convict Prisoner is directed to report before the Inspector of Police, Tiruvannamalai East Police Station, Tiruvannamalai, daily at 05.00 pm, 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

Internet: Yes

Neutral Citation : Yes / No

dk

Note: Issue order copy by **15.07.2024**.

Copy to:-

1. The Secretary to the Government of Tamil Nadu,
Department of Home,
Fort St. George,



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Chennai - 600 009.

2.The Deputy Inspector General of Prison,
Vellore Range,
Vellore – 632 001.

3.The Superintendent
Central Prison Vellore,
Vellore – 632 001.

4.The Public Prosecutor,
High Court, Madras.



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