



W.P.No.18294 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

and

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

W.P.No.18294 of 2024

Lavanya

... Petitioner

Vs.

1.The Government of Tamil Nadu
Rep. by its Secretary to Government
Home (Prison IV) Department
Fort St. George
Chennai - 9

2.The Additional Director General of Prisons
Thalamuthu Natarajan Maaligai
2nd Floor, Gandhi Irwin Road
Egmore
Chennai -8

3.The Superintendent of Central Prison
Vellore - 2

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India,
praying for the issuance of Writ of Mandamus, directing the respondents



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to consider the petitioner's representation dated 25.06.2024 and grant leave without escort for 20 days to the petitioner's husband detenu namely V.Senthil Kumar, Life Convict No.24027, detained at Central Prison, Vellore.

For Petitioner : Mr.P.Narayanaprasad

For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

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

This Writ Petition has been filed seeking for a direction, to direct the respondents to consider the petitioner's representation dated 25.06.2024 and grant leave without escort for 20 days to the petitioner's husband detenu namely V.Senthil Kumar, Life Convict No.24027, detained at Central Prison, Vellore.

2. It is submitted by the learned counsel for the petitioner that the the petitioner is having two children, for whom they have to arrange school fee. They have also decided to sell their property, hence the



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petitioner seeks permission of this Court to grant ordinary leave to her husband to make arrangements for the same. Since the representation dated 25.06.2024 was not considered by the respondents till now, the petitioner is before this Court.

3. The learned Additional Public Prosecutor appearing for the respondents would submit that the above said prisoner was convicted and sentenced under Section 392 I.P.C., and hence ineligible for grant ordinary leave as per the Tamil Nadu Prison Manual Volume III Rule No.21(b). He has also produced a report from the Probation Officer, which is in favour of the petitioner. The Probation Officer has stated in his report that the reasons assigned in the representation are genuine.

4. Since the report of the Probation Officer is in favour of the petitioner, we are inclined to invoke the powers of this Court under Article 226 of the Constitution of India, for the purpose of directing the respondents to release the petitioner on ordinary leave without escort for a period of 15 days.



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5. Accordingly, there shall be a direction to the respondents herein, to grant 15 days ordinary leave “*without escort*” to the life convict namely Mr.V.Senthil Kumar, S/o.Kasi Viswanathan, aged about 42 years, Convict Prisoner No.24027, commencing from 31.07.2024 to 14.08.2024, with a condition that the life convict shall report before the jurisdictional Police i.e. Bagayam Police Station, Vellore District, daily at 10.30 a.m. After expiry of the Ordinary Leave, the life convict shall surrender before the Jail Authority on 15.08.2024 before 10.00 a.m. The prisoner shall utilize the leave only for the purpose for which it has been granted and shall not indulge in any other activities.

6. With the above direction, the Writ Petition stands allowed. No costs.

[M.S.R., J]

[S.M., J]

25.07.2024

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Note: Issue order copy on 30.07.2024

Index : Yes / No

Neutral Citation



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Chennai 600 104



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