



WEB COPY



W.P.No.21041 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2024

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE MR. JUSTICE R.SAKTHIVEL

W.P.No.21041 of 2024

Valarmathi

... Petitioner

Vs.

1.The State Rep. by its,
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

Prayer :- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents to grant ordinary leave for 30 days without escort to the detanue, Ramu S/o.Kaliyappan aged about 47 years, bearing Convict No.2583 confined at central prison, Vellore.



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For Petitioner : Mr.P.Bakiyaraj
For Respondents : Mr.E.Raj Thilak,
Additional Public Prosecutor.

ORDER

(Order of the Court was delivered by S.M.Subramaniam J.)

This petition has been filed seeking a Writ of Mandamus to direct the respondents to grant ordinary leave for a period of 30 days without escort to the convict prisoner Ramu S/o.Kaliyappan, aged about 47 years, bearing Convict No.2583, confined at Central Prison, Vellore, who was convicted for the offences under Section 302 IPC and sentenced to undergo life imprisonment in S.C.No.221 of 2014 by the Principal District Session Judge, Dharmapuri, dated 03.02.2016.

2. The learned counsel for the petitioner submitted that the petitioner's husband/convict prisoner has undergone imprisonment for a period of 6 years 2 months and 13 days and that he seeks ordinary leave for the petitioner's husband to make arrangement for livelihood of his family and for the settlement of life after release.



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3. At this juncture, the learned Additional Public Prosecutor Mr.E.Raj Thilak would submit that the convict prisoner is eligible to avail ordinary leave for a period of 28 days and the Probation Officer has not submitted any adverse report against the convict prisoner.

4. Considering the fact that the convict prisoner is eligible to avail ordinary leave for a period of 21 days and the Probation Officer has not submitted any adverse report against the convict prisoner, this Court is inclined to grant 28 days Ordinary Leave to the convict prisoner.

5. Accordingly, the convict prisoner viz., Ramu S/o.Kaliyappan, aged about 47 years, bearing Convict No.2583, confined at Central Prison, Vellore, is hereby granted Ordinary Leave without escort for a period of 28 days commencing from **23.08.2024** on the following conditions.

(i) Respondents are directed to release the Convict Prisoner viz., Ramu S/o.Kaliyappan, aged about 47 years, bearing Convict No.2583, confined at Central Prison, Vellore, on Ordinary Leave without escort for a period of 28 days commencing from **23.08.2024**



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(ii) The Convict Prisoner shall be released on 23.08.2024 at 10.00 a.m. and surrender before the Superintendent, Central Prison, Vellore, on 20.09.2024 at 05.30 p.m.

(iii) The Convict Prisoner is directed to report before the jurisdictional Police Station, once in a week at 10.00 a.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. Accordingly, the writ petition stands **disposed of**. No Costs.

(S.M.S.J.,)

(R.S.V.J.,)

19.08.2024

Index : Yes/No

Speaking order/Non-Speaking order

Neutral Citation : Yes/No

(sha)



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To

- 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.
4. Public Prosecutor,
High Court of Madras.



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S.M.SUBRAMANIAM, J.

and

R.SAKTHIVEL, J.

(sha)

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