



WEB COPY



W.P.No.31300 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.10.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

W.P.No.31300 of 2024

Venmani

... Petitioner

Vs.

1. The State represented 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 the issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order bearing No.CP-VLR/1040/2024-R3(Asst), dated 05.09.2024, passed by the 3rd respondent and quash the same and consecutively direct the 3rd respondent to grant ordinary leave for 30 days without escort to the detenu, Rajendhiran, S/o. Rangasamy, aged about 63 years, bearing Convict No.1265 at Central Prison, Vellore.



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For Petitioner : Mr. M. Ezhilarasu
For Respondents : Mr.E.Raj Thilak,
Additional Public Prosecutor

ORDER

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

The rejection of the leave application issued by the Superintendent of Prison, Central Prison, Vellore, vide its proceedings in CP-VLR/1040/2024-R3(Asst), dated 05.09.2024 is sought to be quashed in the present writ petition.

2. The convict prisoner is in actual imprisonment for about 4 years including the remand period. The wife of the convict prisoner herein, who is also a convict prisoner, availed leave on earlier occasion.

3. The report of the Probation Officer would reveal that there is no serious objection nor adverse conduct noticed inside the prison.

4. Thus, we are inclined to invoke our powers under Article 226 of the Constitution of India, thereby granting required leave to the convict prisoner herein.

5. Accordingly, the impugned order dated 05.09.2024 passed by the third respondent in No.CP-VLR/1040/2024-R3(Asst) is quashed and convict prisoner viz., Rajendhiran, S/o. Rangasamy, (Convict No.1265) now confined at Central Prison, Vellore, is hereby granted ordinary leave for a period of 21 days, without



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escort commencing from **31.10.2024** on the following conditions:-

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(i) Respondents are directed to release the Convict Prisoner viz., Mr. Rajendhiran, S/o. Rangasamy, (Convict No.1265) now confined at Central Prison, Vellore, on Ordinary Leave for a period of **21 days i.e., from 31.10.2024 to 20.11.2024.**

(ii) The Convict Prisoner shall be released on **31.10.2024** at 10.00 am and surrender before the Central Prison, Vellore, on **20.11.2024** at 10.00 a.m.

(iii) The Convict Prisoner is directed to report before the Inspector of Police, Sengam Police Station, twice in a week, i.e., on Monday and Friday at 10.30a.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 allowed. No Costs.

[S.M.S., J.]

[V.S.G., J.]

29.10.2024

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Index: Yes/No

Speaking/Non-speaking order

mrp

Note : Issue Order copy today

S.M.SUBRAMANIAM, J.

AND

V.SIVAGNANAM, J.



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mrp

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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. The Public Prosecutor,
High Court of Madras.

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