



WEB COPY



W.P.No.32981 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

W.P.No.32981 of 2024

Muthu

... Petitioner

Vs.

1. The Secretary to Government,
Home Department,
Secretariat, Fort St.George,
Chennai - 600 009.

2. The Superintendent of Prisons,
Vellore Central Prison,
Vellore, Tamilnadu

... 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 relating to the impugned order in letter vide no.8256, Tha.Ku.3/2024 dated 25.09.2024, by the 2nd respondent and quash the same, consequently direct the 2nd respondent to grant parole leave for a period of one month to petitioner's son confined at Vellore Central Prison.



W.P.No.32981 of 2024

For Petitioner : Ms. S. Sujatha

For Respondents : Mr.R.Muniyapparaj,
Additional Public Prosecutor

ORDER

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

The order of rejection rejecting the leave application, submitted by the petitioner seeking ordinary leave, vide its proceedings in No.8256/tha.ku.3/2024 dated 25.09..2024 is sought to be quashed in the present writ petition.

2. The impugned order reveals that the convict prisoner is not eligible to avail ordinary leave since he has not completed 3 years of actual imprisonment.

3. The learned Additional Public Prosecutor would submit that the convict prisoner is eligible to avail emergency leave.

4. The reason stated in the leave application is that the mother of the convict prisoner is seriously ill and the convict prisoner has to make some arrangements. The Probation Officer has recommended the case of the convict prisoner for grant of emergency leave.

5.Considering the fact and circumstances, the convict prisoner viz.,



W.P.No.32981 of 2024

Mr.Silambarasan, S/o. Kumaresan, Convict Prisoner.4362, confined at Central Prison, Vellore, is hereby granted Emergency Leave without escort for a period

of **6 days** commencing **from 21.11.2024** on the following conditions:-

(i) Respondents are directed to release the Convict Prisoner viz., Mr. Silambarasan, S/o. Kumaresan, Convict Prisoner.4362, confined at Central Prison, Vellore, on Emergency Leave without escort for a period of 6 days commencing from 21.11.2024.

(ii) The Convict Prisoner shall be released on 21.11.2024 at 10.00 a.m. and surrender before the Superintendent, Central Prison, Vellore, on 26.11.2024 at 05.30 p.m.

(iii) 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.

7. Accordingly, the writ petition stands allowed. No Costs.

[S.M.S., J.]

[M.J.R., J.]

15.11.2024

Index: Yes/No

Speaking/Non-speaking order

mrp



WEB COPY



W.P.No.32981 of 2024

S.M.SUBRAMANIAM, J.
AND
M.JOTHIRAMAN, J.

mrp

To

1. The Secretary to Government,
Home Department,
Secretariat, Fort St.George,
Chennai - 600 009.
2. The Superintendent of Prisons,
Vellore Central Prison,
Vellore, Tamilnadu
- 3.The Public Prosecutor,
High Court of Madras.

W.P.No.32981 of 2024

15.11.2024