



WEB COPY



W.P.No.35525 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.11.2024

CORAM :

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE M.JOTHIRAMAN

W.P.No.35525 of 2024

K.Kalaiselvai .. Petitioner

v.

1. The Inspector General of Prisons
Vellore Range
Vellore-2

2. The Superintendent of Prison
Central Prison, Cuddalore .. Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, to call for the records No.15563/Tha.Ku.2/2024 dated 10.10.2024 passed by 2nd respondent and quash the same and consequently direct the respondents to grant 15 days ordinary leave to the petitioner's husband Mr.Kalaiyaran, S/o Periyal, aged 40 years, life convict, Convict No.17531 (PID No.174032), Central Prison, Cuddalore.



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For Petitioner :: Mr.K.Raveendran
For Respondents :: Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

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

The order of rejection of leave application dated 10.10.2024 is under challenge in the present writ proceedings.

2. The learned Additional Public Prosecutor would submit that the Probation Officer submitted a report raising objection for grant of leave mainly on the ground that the friends of the prisoner, one Yuvan and Agilan have threatened the mother of the deceased and other witnesses. They are important witnesses in the criminal case and in this regard, a complaint was filed before the police station. Therefore, in the event of grant of leave to this prisoner, there is a likelihood of law and order issue in the locality. Pertinently, the prisoner is in actual imprisonment for about one year and nine days. Therefore, he is not eligible to avail the ordinary leave under the Tamil Nadu Suspension of Sentence Rules.



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3. Considering the report of the Probation Officer, we are not inclined

to consider the present writ petition and consequently, the writ petition stands dismissed. No costs.

Index : yes

Neutral citation : yes/no

(S.M.S.,J.) (M.J.R.,J.)

29.11.2024

ss

To

1. The Inspector General of Prisons
Vellore Range
Vellore-2
2. The Superintendent of Prison
Central Prison, Cuddalore
3. The Public Prosecutor
High Court, Madras



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S.M.SUBRAMANIAM,J.

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SS

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