



W.P.No.118 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH
AND
THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

W.P.No.118 of 2025
and W.M.P.No.134 of 2025

Pachaiyappan

...Petitioner/ father of the detenue

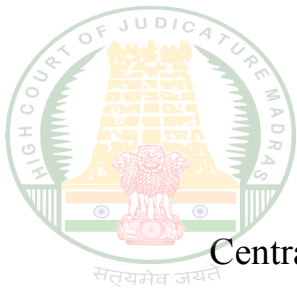
Vs.

The State represented by its,
1.The Deputy Inspector General of Prison,
Coimbatore Range,
Coimbatore-641 018.

2.The Superintendent,
Coimbatore Central Prison,
Coimbatore-641 018.

... 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.22531/Tha.Ku.3/2024, dated 09.12.2024, passed by the second respondent and quash the same and consequently, direct the first respondent to grant ordinary leave for 30 days without escort to the detenue, Sathish, S/o.Pachaiyappan, aged about 33 years, convict prisoner, bearing Convict No.22531 and PID No.232931 confined at



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Central Prison, Coimbatore.

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For Petitioner : Mr.M.Ezhilarasu
For Respondent : Mr.R.Muniyapparaj
Additional Public Prosecutor
assisted by Mr.M.Sylvester John

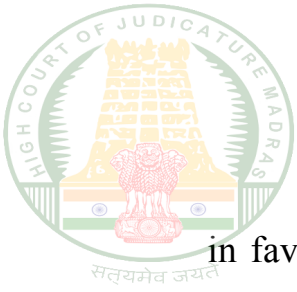
ORDER

M.S.RAMESH, J.
and
N.SENTHILKUMAR, J.

This writ petition has been filed to call for records and to direct the respondents to grant 30 days ordinary leave, without escort to the petitioner's son namely Sathish, S/o.Pachaiyappan, aged about 33 years, convict prisoner, bearing Convict No.22531 and PID No.232931 confined at Central Prison, Coimbatore.

2. Heard the learned counsel on either side and perused the documents.

3. The petitioner herein seeks for grant of 30 days of ordinary leave for his son, without escort, on the ground that the petitioner is aged 64 years and he wants to partition the property, which stands in his name,



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in favour of his two sons, equally and therefore, the petitioner requires the presence of the detenue. Further, the detenue has undergone 5 years, 1 month and 19 days of imprisonment.

4.The learned Additional Public Prosecutor produced a copy of the Probation Officer's report dated 18.11.2024, in which, the Probation Officer has not recommended for grant of leave since the reasons assigned by the petitioner is said to be false. He would submit that the prisoner is otherwise eligible for 21 days of ordinary leave.

5. Although the Probation Officer has not recommend for grant of leave, considering the fact that the convict prisoner has undergone 5 years, 1 month and 19 days of imprisonment and he has not availed leave even once, we are inclined to grant ordinary leave for a period of 21 days in exercise of our powers under Article 226 of the Constitution of India.

6. Accordingly, the detenue viz., Sathish, S/o.Pachaiyappan, aged about 33 years, convict prisoner, bearing Convict No.22531 and PID No.232931 confined at Central Prison, Coimbatore, is hereby granted



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ordinary leave for a period of 21 days, without escort, commencing from 10.00 am on 10.02.2025 to 5 pm of 02.03.2025. On expiry of the ordinary leave, the detenu shall surrender before the prison authorities. During the period of leave, the prisoner shall report before the Inspector of Police, Siruvallur Police Station, Erode District, daily at 05.00 p.m. 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. Consequently, connected miscellaneous petition is closed.

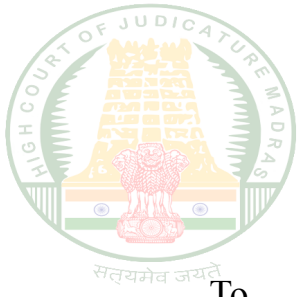
[M.S.R., J] [N.S., J]

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Index: Yes/No
Speaking/Non-speaking order
Internet: Yes/No
Neutral Citation: Yes/No

Anu

Note: Issue Order Copy on 07.02.2024
Upload the order copy forthwith



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To
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1.The Deputy Inspector General of Prison,
Coimbatore Range,
Coimbatore-641 018.

2.The Superintendent,
Coimbatore Central Prison,
Coimbatore-641 018

3.The Inspector of Police,
Siruvallur Police Station, Erode District

4.The Public Prosecutor,
High Court, Madras.



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and
N.SENTHILKUMAR, J.

Anu

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