



W.P.No.1204 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 28.01.2025

CORAM :

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

W.P.No.1204 of 2025

B.Jeyaseeli

.. Petitioner

v.

1. The Deputy Inspector General of Prison
Chennai Range, Prison Headquarters
Whennels Road
Egmore, Chennai 600 008

2. The Superintendent of Prison
Central Prison-I
Puzhal, Chennai 600 066

.. 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.530294/Tha.Ku.2/2024 dated 23.12.2024 passed by respondent No.2 and quash the same and consequently direct the respondents to grant 40 days ordinary leave to the petitioner's husband Babu, S/o Swamy, aged 64 years, Convict Prisoner No.6555 (PID 33243), now confined in the Central Prison-I, Puzhal, Chennai-66.

For Petitioner :: Mr.K.Sakthivel for Mr.P.Pugalenth



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

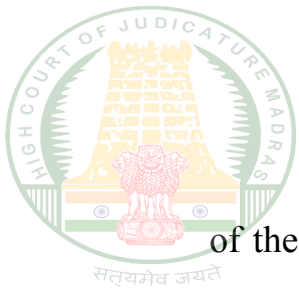
ORDER

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

W.M.P.No.1445 of 2025 seeking to dispense with production of the original impugned order, stands ordered.

2. The rejection of leave application in proceeding dated 23.12.2024 is under challenge in the present writ proceedings. The Superintendent of Prison rejected the leave application mainly on the ground that the prisoner absconded on expiry of leave on earlier occasion. Twice he failed to return back to jail after availing the leave in 1997 and 2004. However, he was admitted in the prison on 23.11.2000 & 08.09.2014 respectively.

3. This Court is of the considered opinion that for the past about ten years, the prisoner's conduct inside the prison is found to be satisfactory. The Probation Officer conducted an enquiry and made a finding that the reason stated in the leave application is correct. He recommended the case



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of the prisoner for grant of ordinary leave. Taking note of the report of the

Probation Officer, this Court is inclined to consider the present writ petition

and pass the following order:-

- (i) The impugned order passed by the second respondent dated 23.12.2024 is set aside.
- (ii) The prisoner, namely, Babu, S/o Swamy, Convict No.6555 (PID No.33243), is granted 21 days ordinary leave without escort.
- (iii) The leave shall commence from 01.02.2025 10.30 A.M., and the prisoner shall surrender before the second respondent by 5.30 P.M., on 21.02.2025.
- (iv) The prisoner shall appear before the N-3, Muthialpet Police Station, Chennai daily at 11.00 A.M. during the period of leave.

The writ petition stands allowed on the above terms. No costs.

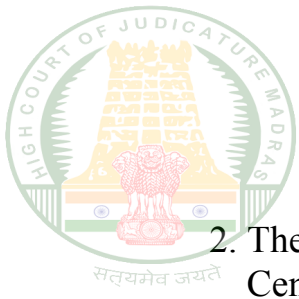
Index : yes/no
Neutral citation : yes/no

(S.M.S.,J.) (M.J.R.,J.)
28.01.2025

SS

To

1. The Deputy Inspector General of Prison
Chennai Range, Prison Headquarters
Whennels Road
Egmore, Chennai 600 008



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2. The Superintendent of Prison
Central Prison-I
Puzhal, Chennai 600 066

3. The Inspector of Police
N-3, Muthialpet Police Station
Chennai

4. The Public Prosecutor
High Court, Madras



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S.M.SUBRAMANIAM,J.

AND

M.JOTHIRAMAN,J.

SS

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