



WEB COPY



W.P.No.1235 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2025

CORAM :

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

W.P.No.1235 of 2025
and W.M.P.No.1491 of 2025

Chandiran

...Petitioner/ father of the detenue

Vs.

The State represented by its,
1.The Deputy Inspector General of Prison,
Chennai Range,
Prison Head Quarters,
Whannels Road,
Egmore, Chennai-600 008.

2.The Superintendent of Prisons,
Central prison,
Coimbatore.

... 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 in the order dated 26.11.2024 bearing No.19742/tha.ku.3/2024 passed by the second respondent and quash the same, and consequently, direct the respondents to grant 28 days ordinary leave to the petitioner's son namely Sridhar @ Babu, S/o.Chandiran, aged about 46 years, Convict Prisoner, Convict No.22680, Central prison,



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Coimbatore.

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For Petitioner : Ms.S.Nadhiya
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 the records in the order dated 26.11.2024 bearing No.19742/tha.ku.3/2024 passed by the second respondent and quash the same, and consequently, direct the respondents to grant 28 days ordinary leave to the petitioner's son namely Sridhar @ Babu, S/o.Chandiran, aged about 46 years, Convict Prisoner, Convict No.22680, Central prison, Coimbatore.

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

3. The petitioner herein seeks for grant of 28 days of ordinary leave for his son, without escort, on the ground that the petitioner has



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certain medical ailments and he requires the presence of his son for arranging funds for the treatment and for making arrangements for the livelihood of their family. Further, the detenue has undergone 6 years and 5 days of imprisonment.

4.The learned Additional Public Prosecutor produced a copy of the Probation Officer's report dated 27.01.2025, in which, the Probation Officer has recommended for grant of leave as the reasons assigned by the petitioner is said to be true. He would submit that the prisoner is eligible for 28 days of ordinary leave.

5. Considering the fact that the Probation Officer has recommended for grant of leave and that the convict prisoner has not availed leave even once, we are inclined to grant ordinary leave for a period of 28 days in exercise of our powers under Article 226 of the Constitution of India.

6. Accordingly, the detenue viz., Sridhar @ Babu, S/o.Chandiran, aged about 46 years, Convict Prisoner, Convict No.22680, Central



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prison, Coimbatore, is hereby granted ordinary leave for a period of 28 days, without escort, commencing from 10.00 am on 21.02.2025 to 5 pm of 20.03.2025. 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, Ooty Police Station, 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]

07.02.2025

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

Anu

Note: Issue Order Copy on 20.02.2024
Upload the order copy forthwith



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To

1.The Deputy Inspector General of Prison,
Chennai Range,
Prison Head Quarters,
Whannels Road,
Egmore, Chennai-600 008.

2.The Superintendent of Prisons,
Central prison,
Coimbatore.

3.The Inspector of Police,
Ooty Police Station.

4.The Public Prosecutor,
High Court, Madras.



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N.SENTHILKUMAR, J.

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