



WEB COPY



W.P.No.830 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.01.2025

CORAM :

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

W.P.No.830 of 2025

Rekha

W/o Anand Babu

..

Petitioner

v.

The State represented by its

1. The Secretary to the Government of Tamil Nadu
Department of Home
Fort St.George
Chennai 600 009

2. The Deputy Inspector General of Prison
Chennai Range, Egmore
Chennai 600 008

3. The Superintendent
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 pertaining to the impugned order bearing No.404586/Tha.Ku.2/2024 dated 20.12.2024 passed by the 3rd respondent and quash the same and



W.P.No.830 of 2025

consecutively direct the respondents to grant ordinary leave for 21 days without escort to Anand Babu, S/o Mariya Selvam, aged about 39 years, Convict No.8136, detained at Central Prison, Puzhal, Chennai.

For Petitioner :: Ms.K.Akshaya

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

ORDER

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

The prison authorities granted ordinary leave for 21 days to the prisoner with escort. The learned counsel for petitioner would submit that the prisoner was granted emergency leave without escort on earlier occasion. He promptly surrendered himself before the prison authorities. The family of the prisoner is not in a position to meet out the escort expenses. Therefore the petition is to be considered.

2. The learned Additional Public Prosecutor would submit that the prisoner, though has undergone actual imprisonment for 5 years, 2 months and 11 days, the authorities considered various other factors and granted leave with escort.



W.P.No.830 of 2025

3.This Court is of the considered opinion that the prisoner availed emergency leave on earlier occasion and returned back on expiry of leave.

His conduct inside the prison is also found to be satisfactory. That being the factum, this Court is inclined to pass the following order:-

- (i) The impugned order passed by the second respondent dated 20.12.2024 is set aside.
- (ii) The prisoner, namely, Anand Babu, S/o Mariya Selvam, Convict No.8136 (PID 63935) is granted 21 days ordinary leave without escort.
- (iii) The leave shall commence from 03.02.2025 10.30 A.M., and the prisoner shall surrender before the third respondent by 5.30 P.M., on 23.02.2025.
- (iv) The prisoner shall appear before the H-1, Washermanpet 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.)
29.01.2025

SS



W.P.No.830 of 2025

To
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1. The Secretary to the Government of Tamil Nadu
Department of Home
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3. The Superintendent
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4. The Inspector of Police
H-1, Washermanpet Police Station
Chennai
5. The Public Prosecutor
High Court, Madras



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W.P.No.830 of 2025

S.M.SUBRAMANIAM,J.

AND

M.JOTHIRAMAN,J.

SS

W.P.No.830 of 2025

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