



W.P.No.827 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.01.2025

CORAM :

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

W.P.No.827 of 2025

Sathaj
W/o Sadhiq Basha .. Petitioner

v.

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

2. The Deputy Inspector General of Prisons
Coimbatore Range
Coimbatore

3. The Superintendent of Prisons
Central Prison, Salem .. Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, calling for the records in the order date on 31.12.2024 bearing no.1330/tha.u.2/2023 passed by respondent no.2 and quashing the same and directing the respondents to grant 28 days ordinary leave without escort, instead of with escort for the petitioner's husband, namely, Asan, S/o Sheik Madhar, aged 39 years,



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Convict Prisoner PID No.6550, Central Prison, Salem.

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For Petitioner :: Mrs.S.Nadhiya

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

ORDER

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

W.M.P.No.1006 of 2025 seeking to dispense with the production of the original certified copy of the impugned order, stands ordered.

2. While granting ordinary leave for 28 days to the prisoner, the prison authorities imposed escort. Thus the present writ petition came to be instituted.

3. The prisoner is in actual imprisonment for 9 years, 11 months and 14 days. The conduct of the prisoner inside the prison is found to be satisfactory. The Probation Officer recommended the case of the prisoner for grant of ordinary leave. Considering the length of incarceration and the conduct maintained by the prisoner, we are inclined to consider the present



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writ petition and pass the following order:-

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- (i) The impugned order passed by the second respondent dated 31.12.2024 is set aside.
- (ii) The prisoner, namely, Asan, S/o Sheik Madhar, Convict PID No.6550 is granted 21 days ordinary leave without escort.
- (iii) The leave shall commence from 31.01.2025 10.30 A.M., and the prisoner shall surrender before the third respondent by 5.30 P.M., on 20.02.2025.
- (iv) The prisoner shall appear before the Tiruchengode Police Station, Namakkal District twice in a week i.e., on every Monday and Thursday 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.)
27.01.2025

ss

To

1. The Deputy Inspector General of Prisons
Chennai Range, Prison Headquarters
Whannels Road, Egmore



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Chennai 600 008

2. The Deputy Inspector General of Prisons

Coimbatore Range

Coimbatore

3. The Superintendent of Prisons

Central Prison, Salem

4. The Inspector of Police

Tiruchengode Police Station

Namakkal District

5. The Public Prosecutor

High Court, Madras



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S.M.SUBRAMANIAM,J.

AND

M.JOTHIRAMAN,J.

SS

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