



W.P.No.611 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

AND

THE HONOURABLE MR. JUSTICE N. SENTHILKUMAR

W.P.No.611 of 2025
and W.M.P.No.744 of 2025

Kala

... Petitioner

Vs.

1.The State rep. by
The Deputy Inspector General of Prison,
Gandhi Irwin Road,
Egmore, Chennai – 600 008.

2.The Superintendent,
Puzhal Central Prison,
Puzhal – 600 066.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, calling for the records connected with impugned order dated 20.11.2024 in proceedings No.484629/Thaku2/2024 passed by the second respondent and quash the same and directing the respondents to grant ordinary leave for 30 days without escort to the detenu, Vijayakumar, S/o.Veeran, aged about 45 years, bearing Convict No.6878, confined at Central Prison-I, Puzhal.



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For Petitioner : Ms.S.Sadhana
For Respondents : Mr.R.Muniyapparaj,
Additional Public Prosecutor
assisted by Mr.M.Sylvester John

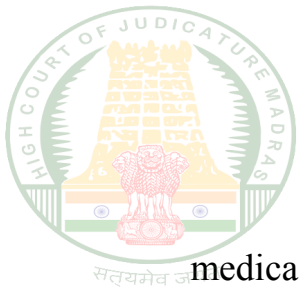
ORDER

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

This Writ Petition has been filed challenging the impugned order dated 20.11.2024, rejecting the representation of the life convict dated 05.11.2024.

2. The only reason assigned in the impugned order for rejecting the life convict's request for grant of ordinary leave to him is that since one more case is pending for trial against the life convict, he is not eligible for grant of leave under Rule 35 of the Tamil Nadu Suspension of Sentence Rules, 1982.

3. The learned counsel for the petitioner submitted that the petitioner has sought for ordinary leave for a period of 30 days for her husband/life convict since she requires his presence to make arrangements for her



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medical treatment, as well as to arrange funds for the educational expenses of their children. The learned counsel further submitted that the life convict has undergone more than 2 years of imprisonment.

4. The learned Additional Public Prosecutor has produced the particulars of the life convict dated 13.02.2025, as well as the report of the Probation Officer dated 21.01.2025. The Probation Officer, upon investigation, has stated in his report that he is satisfied with the reasons for seeking leave and hence, he has recommended to grant leave to the life convict.

5. Considering the reasons stated by the petitioner for seeking leave for her husband/life convict, as well as the report of the Probation Officer, recommending to grant leave to the life convict, we are inclined to consider the prayer sought for in this Writ Petition.

6. Accordingly, the impugned order dated 20.11.2024 passed in No.484629/Thaku2/2024 by the second respondent, is hereby quashed. Consequently there shall be a direction to the respondents herein, to grant



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21 days ordinary leave **“without escort”** to the petitioner's husband/life convict namely Vijayakumar, S/o.Veeran, aged about 45 years, bearing Convict No.6878, confined at Central Prison-I, Puzhal, commencing from **25.02.2025 to 17.03.2025**, with a condition that the life convict shall report before the jurisdictional Police i.e. H2 Guduvancherry Police Station, Chengalpattu, daily at 10.30 A.M. After expiry of the Ordinary Leave, the life convict shall surrender before the Jail Authority on **17.03.2025** before **05.30 P.M.** The prisoner shall utilize the leave only for the purpose for which it has been granted and shall not indulge in any other activities.

7. With the above direction, the Writ Petition stands allowed. No costs. Connected miscellaneous petition is closed.

[M.S.R, J.]

[N.S, J.]

14.02.2025

Index: Yes/No

Speaking order/Non-speaking order

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Note: Issue Order Copy on 24.02.2025.



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To

1.The Deputy Inspector General of Prison,
Gandhi Irwin Road,
Egmore, Chennai – 600 008.

2.The Superintendent,
Puzhal Central Prison,
Puzhal – 600 066.

3.The Inspector of Police,
H2 Guduvancherry Police Station,
Chengalpattu.

4.The Public Prosecutor,
High Court, Madras.



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and
N. SENTHILKUMAR, J.

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