



W.P.No.2681 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 26.02.2025

CORAM :

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

W.P.No.2681 of 2025
and W.M.P.No.3020 of 2025

Samiyathal

...Petitioner/ mother of the detenue

Vs.

1.The Additional Director General of Prison,
Thalamuthu Natrajar Malaigai,
Gandhi Irvin Road,
Egmore, Chennai.

2.The Deputy Inspector General of Prisons,
Central Prison, Coimbatore District.

3.The Superintendent of Prison,
Central Prison, Coimbatore District.

4.The Chief Probationary Officer,
O/o.The Additional Director General of Prison,
Thalamuthu Natrajar Malaigai,
Gandhi Irvin Road,
Egmore, Chennai.

5.The Probationary Officer (Prison),
Thirupur, Thirupur District.

... 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 relating to the proceedings of the third respondent vide



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No.21042/THAKU3/2024 dated 8.12.2024 and quash the same and consequently, direct the third respondent to grant parole for a period of 60 days, without police escort to the petitioner's son namely Ranjith @ Ranjith Kumar, aged 34 years, son of Soman @ Maniyan, now confined at Central Prison, Coimbatore.

For Petitioner	: Mr.M.Rajkumar
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 relating to the proceedings of the third respondent vide No.21042/THAKU3/2024 dated 8.12.2024 and quash the same and consequently, direct the third respondent to grant parole for a period of 60 days, without police escort to the petitioner's son namely Ranjith @ Ranjith Kumar, aged 34 years, son of Soman @ Maniyan, now confined at Central Prison, Coimbatore.

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



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3. The petitioner herein seeks for grant of 60 days of ordinary leave, without escort, on the ground that the petitioner has certain medical ailments and that she requires the presence of the prisoner to sell the property, which stands in her name and with the proceeds from the sale, she plans to arrange for filing an appeal. It is further submitted that the prisoner has undergone 9 years, 11 months and 29 days of imprisonment.

4. The learned Additional Public Prosecutor produced a copy of the Probation Officer's report dated 25.11.2024, in which, the Probation Officer has not recommended for grant of leave since the reasons assigned by the petitioner is said to be false. He would submit that the representation of the petitioner was rejected by the third respondent vide No.21042/THAKU3/2024 dated 8.12.2024. However, the convict prisoner is otherwise eligible for 28 days of leave.

5. Although the Probation Officer has not recommend for grant of leave, considering the fact that the convict prisoner has not availed ordinary 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.



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6. Accordingly, the detenu viz., Ranjith @ Ranjith Kumar, aged 34 years, son of Soman @ Maniyan, is hereby granted ordinary leave for a period of 28 days, without escort, commencing from 10.00 am on 05.03.2025 to 5 pm of 01.04.2025. 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, Vellakovil Police Station, Erode, 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]

26.02.2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes/No

Neutral Citation: Yes/No

Anu

Note: Issue Order Copy on 04.03.2025

Upload the order copy forthwith

To

1. The Additional Director General of Prison,



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Thalamuthu Natrajar Malaigai,
Gandhi Irvin Road,
Egmore, Chennai.

2.The Deputy Inspector General of Prisons,
Central Prison, Coimbatore District.

3.The Superintendent of Prison,
Central Prison, Coimbatore District.

4.The Chief Probationary Officer,
O/o.The Additional Director General of Prison,
Thalamuthu Natrajar Malaigai,
Gandhi Irvin Road,
Egmore, Chennai.

5.The Probationary Officer (Prison),
Thirupur, Thirupur District.

6.The Inspector of Police,
Vellakovil Police Station, Erode

7.The Public Prosecutor,
High Court, Madras.



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and
N.SENTHILKUMAR, J.

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