



WEB COPY



WP.No.1021 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2025

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

W.P.No.1021 of 2025

Saleena

... Petitioner

Vs.

The State represented by its,

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

2.The Deputy Inspector General of Prison,
Trichy Range,
Trichy – 620 020.

3.The Superintendent,
Central Prison,
Trichy – 620 020.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to
issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the



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impugned order No.RO/TRY/650/Mu.Vu./2024 dated 20.12.2024 issued by the 2nd respondent and quash the same and consecutively direct the 1st respondent to grant leave for one month without escort to the detainee, A.M.Hakkim, aged about 41 years, S/o.Abdul Majith, life convict prisoner, bearing Convict No.22928, detained at Central prison, Trichy.

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 present writ petition has been filed to quash the impugned order No.RO/TRY/650/Mu.Vu./2024 dated 20.12.2024 issued by the 2nd respondent and to direct the 1st respondent to grant leave for one month without escort to the detainee, A.M.Hakkim, aged about 41 years, S/o.Abdul Majith, life convict prisoner, bearing Convict No.22928, detained at Central prison, Trichy.

2. The Convict Prisoner is in actual imprisonment for about 11 years and 3 months and 25 days. The Leave Application seeking ordinary leave was rejected on the ground that the Convict Prisoner was convicted under Sections 392 to 402 of I.P.C.



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3. The learned Additional Public Prosecutor made a submission that the conduct of the Convict Prisoner inside the Prison is found to be satisfactory and hence, the Probation Officer recommended to grant ordinary leave since the reason stated is found to be correct. Considering the length of imprisonment undergone by the Convict Prisoner and taking into account the recommendation of the Probation Officer, this Court is inclined to grant ordinary leave.

4. Since the Convict Prisoner has already undergone 11 years and 3 months and 25 days of imprisonment, we are inclined to quash the rejection order No.RO/TRY/650/Mu.Vu./2024 dated 20.12.2024 passed by the 2nd respondent and permit the Convict Prisoner to avail twenty eight (28) days Ordinary Leave without escort on the following conditions;

(1)The respondents are directed to release the Convict Prisoner viz., A.M.Hakkim, S/.Abdul Majith, aged about 41 years bearing Convict No.22928, confined at Central Prison, Trichy, on Ordinary Leave for a period of twenty eight (28) days without escort commencing from 05.02.2025 to 04.03.2025.

(2)The Convict Prisoner shall be released on 05.02.2025 at 10.00 A.M. and



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surrender before the Superintendent of Prisons, Central Prison, Trichy on 04.03.2025 at 05.00 P.M.

(3) The Convict Prisoner is directed to report before the B-4, Race Course Police Station, Coimbatore City, twice in a week i.e., on every Monday and Tuesday on at 10.30 A.M, during the period of leave.

(4) During the leave period, the Convict Prisoner shall abide by all the conditions prescribed in the Jail Manual.

(5) 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.

5. With these conditions, the writ petition stands allowed. No costs.

[S.M.S., J.]

[M.J.R., J.]

31.01.2025

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No

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To

- 1.The Secretary to Government of
Tamil Nadu, Home Department,
Fort St.George,
Chennai – 600 009.
- 2.The Deputy Inspector General of Prison,
Trichy Range,
Trichy – 620 020.
- 3.The Superintendent,
Central Prison,
Trichy – 620 020.
- 4.The Additional Public Prosecutor,
Madras High Court.



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