



W.P.No.949 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2025

CORAM :

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

W.P.No.949 of 2025
and W.M.P.No.1151 of 2025

Selvam

...Petitioner/ father of the detenue

Vs.

The State represented by its,
1.The Deputy Inspector General of Prison,
Gandhi Irwin Road, Egmore,
Chennai-600 008

2.The Superintendent,
Puzhal Central Prison-I,
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, to call for the records connected with impugned order in proceeding No.611846/Thaku2/2024 dated 30.12.2024 passed by the second respondent and quash the same and direct the respondents to grant ordinary leave for 30 days without escort to the detenue, Madhankumar, S/o.Selvam, aged about 23 years bearing Convict No.10426, confined at Central prison, Puzhal-I.



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For Petitioner : Ms.S.Sadhana
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 records connected with impugned order in proceeding No.611846/Thaku2/2024 dated 30.12.2024, passed by the second respondent and quash the same and direct the respondents to grant ordinary leave for 30 days, without escort to the detenue, Madhankumar, S/o.Selvam, aged about 23 years bearing Convict No.10426, confined at Central prison, Puzhal-I.

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

3. The petitioner herein seeks for grant of 30 days of ordinary leave for his son, without escort, on the ground that the petitioner has



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certain medical ailments and the doctor has advised him to undergo heart surgery and requires the presence of his son for arranging funds for the same. Further, the detenue has undergone 2 years 4 months and 1 day of imprisonment.

4.The learned Additional Public Prosecutor produced a copy of the Probation Officer's report dated 13.01.2025, 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 prisoner is otherwise eligible for 21 days of ordinary leave.

5. Although the Probation Officer has not recommend for grant of leave, considering the fact that the convict prisoner has not availed leave even once, we are inclined to grant ordinary leave for a period of 21 days in exercise of our powers under Article 226 of the Constitution of India.

6. Accordingly, the detenue viz., Madhankumar, S/o.Selvam, aged about 23 years bearing Convict No.10426, confined at Central prison, Puzhal-I, is hereby granted ordinary leave for a period of 21 days,



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without escort, commencing from 10.00 am on 21.02.2025 to 5 pm of 13.03.2025. 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, M-3 Puzhal Police Station, Chennai, 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]

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Index: Yes/No
Speaking/Non-speaking order
Internet: Yes/No
Neutral Citation: Yes/No

Anu

Note: Issue Order Copy on 20.02.2024
Upload the order copy forthwith



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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-I,
Puzhal-600 066.

3.The Inspector of Police,
M-3 Puzhal Police Station, Chennai

4.The Public Prosecutor,
High Court, Madras.



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