



W.P.No.3029 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2025

CORAM :

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

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M.Arumugam

...Petitioner/ the detenue

Vs.

1.The Government of Tamil Nadu,
Rep.by its Secretary to Government,
Home (Prison IV) Department,
Fort St. George, Chennai-9.

2.The Additional Director General of Prisons,
Whannels Road, Egmore, Chennai-600 008.

3.The Superintendent of Central Prison-I,
Central Prison-1, Chennai.

... 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 of the third respondent in his proceedings No.529747/Tha.Ku.2/2024 dated 04.12.2024 and quash the same and consequently, direct the respondents to grant 28 days of emergency leave to the petitioner, life Convict No.10234, detained at Central Prison-I, Chennai, without police escort.

For Petitioner

: Mr.I.Thiyagaiya



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For Respondents

: 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 of the third respondent in his proceedings No.529747/Tha.Ku.2/2024 dated 04.12.2024 and quash the same and consequently, direct the respondents to grant 28 days of emergency leave to the petitioner, life Convict No.10234, detained at Central Prison-I, Chennai, without police escort.

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

3. The petitioner herein seeks for grant of 28 days of emergency leave, without escort, on the ground that the petitioner's wife has certain medical ailments and the doctor has advised her to undergo uterus removal surgery, for which he requires to be with her to make arrangements for her medical expenses and to take care of her and also to



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arrange funds for the educational expenses of the petitioner's children.

Further, the wife of the petitioner has also filed an affidavit requesting for grant of leave to her husband.

4.The learned Additional Public Prosecutor produced a copy of the Probation Officer's report dated 19.12.2024, in which, the Probation Officer has not recommended for grant of leave since the reasons assigned by the petitioner was found to be false. He would submit that the prisoner is otherwise eligible for 10 days of leave.

5. Although the Probation Officer has not recommend for grant of leave, considering the medical requirement of the petitioner's wife and that the petitioner has not availed leave even once, we are inclined to grant leave for a period of 10 days in exercise of our powers under Article 226 of the Constitution of India.

6. Accordingly, the impugned order passed by the third respondent in proceedings No.529747/Tha.Ku.2/2024 dated 04.12.2024 is quashed and the detenue viz., M.Arumugam, Life Convict No.10234, detained at Central Prison-I, Chennai, is hereby granted leave for a period of 10 days,



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without escort, commencing from 10.00 am on 12.03.2025 to 5 pm of 21.03.2025. 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, S7 Madipakkam 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.

[M.S.R., J] [N.S., J]

05.03.2025

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

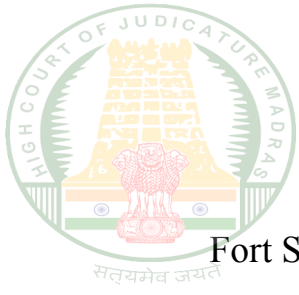
Anu

Note: Issue Order Copy on 11.03.2025

Upload the order copy forthwith

To

1.The Government of Tamil Nadu,
Rep.by its Secretary to Government,
Home (Prison IV) Department,



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Fort St. George, Chennai-9.

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2.The Additional Director General of Prisons,
Whannels Road, Egmore, Chennai-600 008.

3.The Superintendent of Central Prison-I,
Central Prison-1, Chennai.

4.The Inspector of Police,
S7 Madipakkam Police station, Chennai

5.The Public Prosecutor,
High Court, Madras.



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M.S.RAMESH, J.
and
N.SENTHILKUMAR, J.

Anu

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