



W.P.No.1625 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 28.01.2025

CORAM :

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM  
AND  
THE HON'BLE MR.JUSTICE M.JOTHIRAMAN

W.P.No.1625 of 2025

Mrs.M.Nisha Akbar  
W/o Mohideen Akbar

.. Petitioner

v.

The State rep by its  
The Superintendent of Prison  
Central Prison at Cuddalore  
Cuddalore 607 003

.. Respondent

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining with an impugned order in No.621989/tha.ku.2/2024 dated 03.01.2025 passed by the respondent and quash the same and consequently direct the respondent to grant 40 days ordinary leave without escort to the convict, namely, Mr.Sheikh Meeran, S/o B.M.S.Ali (CT No.15588).

For Petitioner :: Mr.M.Mohamed Saifulla

For Respondent :: Mr.R.Muniyapparaj  
Additional Public Prosecutor



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**WEB COPY** ORDER  
(Order of the Court was made by S.M.SUBRAMANIAM,J.)

W.M.P.No.1851 of 2025 seeking to dispense with the production of the certified copy of the impugned order, stands ordered.

2. The rejection of leave application is made on the ground that the prisoner was convicted under Section 3 of the Indian Explosive Substances Act (2 counts) and under Section 5 of the said Act. The prisoner is in actual imprisonment for about 23 years and 9 months. Therefore, he is eligible to avail leave under the Suspension of Sentence Rules. The Probation Officer found the reason stated in the application to be correct and recommended the case of the prisoner for grant of ordinary leave. Taking note of the length of incarceration and the recommendation made by the Probation Officer, we are inclined to pass the following order:-

- (i) The impugned order passed by the respondent dated 03.01.2025 is set aside.
- (ii) The prisoner, namely, Sheikh Meeran, S/o B.M.S.Ali, Convict



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No.15588 (PID No.5900), is granted 28 days ordinary leave without escort.

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(iii)The leave shall commence from 01.02.2025 10.30 A.M., and the prisoner shall surrender before the respondent by 5.30 P.M., on 28.02.2025.

(iv)The prisoner shall appear before the Asaripalam Police Station, Kanyakumari District twice in a week i.e., on every Monday and Thursday at 11.00 A.M. during the period of leave.

The writ petition stands allowed on the above terms. No costs.

Index : yes/no  
Neutral citation : yes/no

(S.M.S.,J.) (M.J.R.,J.)  
28.01.2025

ss

To

1. The Superintendent of Prison  
Central Prison at Cuddalore  
Cuddalore 607 003

2. The Inspector of Police  
Asaripalam Police Station  
Kanyakumari District

3. The Public Prosecutor  
High Court, Madras



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S.M.SUBRAMANIAM,J.

AND

M.JOTHIRAMAN,J.

SS

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