



WEB COPY



W.P.No.1884 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.1884 of 2025
and W.M.P.No.2157 of 2025

C.Alamelu

...Petitioner/ mother of the detenue

Vs.

The State represented by its,
1.The Deputy Inspector General of Prison,
Chennai Range,
Prison Head Quarters,
Whennels Road,
Egmore, Chennai-600 008.

2.The Superintendent of Prison,
Central Prison-1,
Puzhal, Chennai-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 No.326268/Tha Ku2/2024 dated 27.09.2024 passed by the second respondent and quash the same and consequently, direct the respondent to grant 28 days ordinary leave to the petitioner's son, Venkatesan, S/o.Chinnaraj, aged 36 years, Convict Prisoner No.1732, (PID 457593), confined at Central prison-1, Puzhal, Chennai-66.



W.P.No.1884 of 2025

For Petitioner : Mr.P.Pugalenth
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 No.326268/Tha Ku2/2024 dated 27.09.2024 passed by the second respondent and quash the same and consequently, direct the respondent to grant 28 days ordinary leave to the petitioner's son, Venkatesan, S/o.Chinnaraj, aged 36 years, Convict Prisoner No.1732, (PID 457593), confined at Central prison-1, Puzhal, Chennai-66.

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

3. The petitioner herein seeks for grant of 28 days of ordinary leave for her son, without escort, on the ground that the petitioner has



W.P.No.1884 of 2025

certain medical ailments and she requires the presence of her son for arranging funds for the treatment and for arranging funds to meet the educational expenses of the prisoner's children. Further, the detenue has undergone 8 years, 6 months and 19 days of imprisonment.

4.The learned Additional Public Prosecutor produced a copy of the Probation Officer's report dated 27.10.2024, in which, the Probation Officer has recommended for grant of leave as the reasons assigned by the petitioner is said to be true.

5. Considering the fact that the Probation Officer has recommended for grant of leave, 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. However, since the prisoner had absconded and was recaptured after 10 years while he was granted emergency leave earlier, the leave can be granted with minimum escort.

6. Accordingly, the detenue viz., Venkatesan, S/o.Chinnaraj, aged 36 years, Convict Prisoner No.1732, (PID 457593), confined at Central



W.P.No.1884 of 2025

prison-1, Puzhal, Chennai-66, is hereby granted leave for a period of 10 days, with minimum escort, commencing from 10.00 am on 21.02.2025 to 5 pm of 02.03.2025. On expiry of the ordinary leave, the detenu shall surrender before the prison authorities. The second respondent is directed to provide minimum escort of two police constables to the convict from the Central Prison from the time he leaves the prison and till such time he is taken back to the prison.

7. Accordingly, the Writ Petition stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

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

07.02.2025

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



W.P.No.1884 of 2025

WEB COPY

To

1.The Deputy Inspector General of Prison,
Chennai Range,
Prison Head Quarters,
Whennels Road,
Egmore, Chennai-600 008.

2.The Superintendent of Prison,
Central Prison-1,
Puzhal, Chennai-600 066.

3.The Public Prosecutor,
High Court, Madras.



WEB COPY



W.P.No.1884 of 2025

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

Anu

W.P.No.1884 of 2025
and W.M.P.No.2157 of 2025

07.02.2025