



W.P.No.1880 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2025

CORAM :

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

W.P.No.1880 of 2025
and W.M.P.No.2153 of 2025

A.Sangeetha

...Petitioner/ wife of the detenue

Vs.

1. The Inspector General Of Prisons
Chennai Range, Prison Head Quarters,
Whannels Road, Egmore,
Chennai- 600 008.

2.The Superintendent Of Prison
Central Prison-1, Puzhal, Chennai- 66.

... 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 548126 / Tha Ku2/ 2024 dated 9.12.2024 passed by respondent No.2, and quash the same and consequently direct the respondent to grant 28 days ordinary leave to the petitioner's husband Alagiri, S/o.Perumal, aged 40 years, Convict Prisoner no.10122 (PID 105088), now confined in the central Prison- 1, Puzhal, Chennai- 66.



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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.548126 / Tha Ku2/ 2024 dated 9.12.2024 passed by respondent No.2, and quash the same and consequently, direct the respondent to grant 28 days ordinary leave to the petitioner's husband Alagiri, S/o.Perumal, aged 40 years, Convict Prisoner no.10122 (PID 105088), now confined in the 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 husband, without escort, on the ground that the convict



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prisoner's father has certain medical ailments and she requires the presence of her husband for arranging funds for the treatment and for arranging funds to meet the educational expenses of their children. Further, the detainee has undergone 6 years and 25 days of imprisonment.

4.The learned Additional Public Prosecutor produced a copy of the Probation Officer's report dated 02.01.2025, in which, the Probation Officer has not recommended for grant of leave as the reasons assigned by the petitioner is said to be untrue.

5. Although the Probation Officer has not recommended for grant of leave, considering the medical requirement of the prisoner's father, we are inclined to grant leave, with minimum escort for a period of 21 days in exercise of our powers under Article 226 of the Constitution of India.

6. Accordingly, the detainee viz., Alagiri, S/o.Perumal, aged 40 years, Convict Prisoner no.10122 (PID 105088), is hereby granted leave for a period of 21 days, with minimum escort, commencing from 10.00 am on 11.03.2025 to 5 pm of 31.03.2025. On expiry of the ordinary



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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]

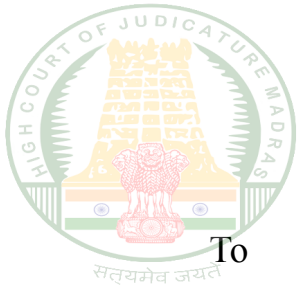
03.03.2025

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

Anu

Note: Issue Order Copy on 10.03.2025

Upload the order copy forthwith



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To

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1. The Inspector General Of Prisons
Chennai Range, Prison Head Quarters, Whannels Road, Egmore,
Chennai- 600 008.
2. The Superintendent Of Prison
Central Prison-1, Puzhal, Chennai- 66.
3. The Public Prosecutor,
High Court, Madras.



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