



W.P.No.4937 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2025

CORAM :

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

W.P.No.4937 of 2025
and W.M.P.No.5479 of 2025

A.Pachaiammal

...Petitioner/mother of the detenue

Vs.

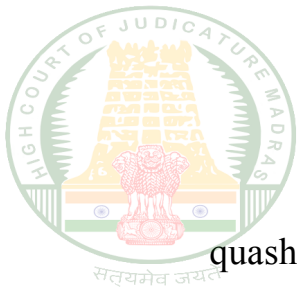
1.The Secretary to Government,
Home Department,
Secretariat,
Fort St. George,
Chennai-600 009

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

3.The Superintendent of Prisons,
Vellore Central Prison,
Vellore.

... 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 relating to the impugned order made in letter vide RO-VLR/1065/2024-CAMP(A) on 28.12.2024, by the second respondent and



W.P.No.4937 of 2025

quash the same, consequently, direct the respondent to grant parole leave for a period of one month to her son, Rajadurai, (PID No.861), confined at Vellore Central Prison.

For Petitioner : Ms.S.Sujatha

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 relating to the impugned order made in letter vide RO-VLR/1065/2024-CAMP(A) on 28.12.2024 passed by the second respondent, quash the same and consequently, direct the respondent to grant leave for a period of one month to her son, Rajadurai, (PID No.861), confined at Vellore Central Prison.

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



W.P.No.4937 of 2025

WEB COPY

3. The petitioner herein seeks for grant of 30 days of leave, without escort, on the ground that the petitioner has certain medical ailments and requires the presence of her son / convict prisoner to arrange funds for her medical expenses and that her house is in a dilapidated condition, which has to be renovated by her son. Further, the convict prisoner has undergone 13 years, 1 month and 4 days of imprisonment.

4. The learned Additional Public Prosecutor produced a copy of the Probation Officer's report dated 30.11.2024, in which, the Probation Officer has not recommended for grant of leave since there is law and order problem, if the prisoner is granted leave. However, the reasons assigned by the petitioner are stated to be true. He would submit that the prisoner is otherwise eligible for 28 days of leave.

5. Although the Probation Officer has not recommend for grant of leave, considering the fact that the reasons assigned by the petitioner are true, we are inclined to grant leave for a period of 28 days in exercise of our powers under Article 226 of the Constitution of India.



W.P.No.4937 of 2025

WEB COPY

6. Accordingly, the impugned order passed by the second respondent in letter vide RO-VLR/1065/2024-CAMP(A) on 28.12.2024 is quashed and the detenue viz., Rajadurai, (PID No.861), confined at Vellore Central Prison, is hereby granted leave for a period of 28 days, without escort, commencing from 10.00 am on 14.03.2025 to 5 pm of 10.04.2025. On expiry of the leave, the detenu shall surrender before the prison authorities. During the period of leave, the prisoner shall report before the Inspector of Police, Virudhachalam Police Station, 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]

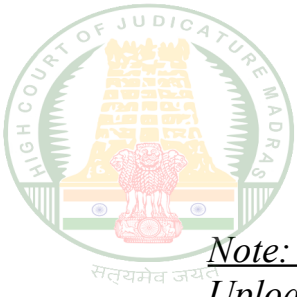
07.03.2025

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

Anu



W.P.No.4937 of 2025

Note: Issue Order Copy on 13.03.2025

Upload the order copy forthwith

WEB COPY

To

1.The Secretary to Government,
Home Department,
Secretariat,
Fort St. George,
Chennai-600 009

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

3.The Superintendent of Prisons,
Vellore Central Prison,
Vellore.

4.The Inspector of Police,
Virudhachalam Police Station

5.The Public Prosecutor,
High Court, Madras.



WEB COPY



W.P.No.4937 of 2025

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

Anu

W.P.No.4937 of 2025
and W.M.P.No.5479 of 2025

07.03.2025