



WEB COPY



W.P.No.2096 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.01.2025

CORAM :

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

W.P.No.2096 of 2025

R.Saraswathy .. Petitioner

v.

The State represented by its
The Superintendent of Prison
Central Prison at Salem
Hasthampatti, Salem 636 007 .. 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.50978/tha.ku.3/2024 dated 02.01.2025 passed by the respondent and quash the same and consequently direct the respondent to grant 15 days leave without escort to the husband of the petitioner/convict, namely, D.Radhakrishnan, S/o Duraisamy, Life Convict Prisoner, (PID No.34149), aged about 53 years.

For Petitioner :: Mr.M.Mohamed Saifulla

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



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ORDER

(Order of the Court was made by S.M.SUBRAMANIAM,J.)

W.M.P.No.2463 of 2025 seeking to dispense with the production of the certified copy of the impugned order, stands ordered.

2. The leave application submitted by the petitioner has been rejected on the ground that two cases are pending on the file of the Second Additional District Court at Salem. The prisoner is in actual imprisonment for 8 years and 2 months and his conduct inside the prison is found to be satisfactory. The Probation Officer recommended the case of the petitioner for grant of emergency leave. Considering the facts and circumstances, we are inclined to pass the following order:-

- (i) The impugned order passed by the respondent dated 02.01.2025 is set aside.
- (ii) The prisoner, namely, Radhakrishnan, S/o Duraisamy, Convict No.631 (PID No.34149), is granted six days emergency leave without escort.



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(iii)The leave shall commence from 03.02.2025 10.30 A.M., and the prisoner shall surrender before the respondent by 5.30 P.M., on 08.02.2025.

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.)
30.01.2025

SS

To

1. The Superintendent of Prison
Central Prison at Salem
Hasthampatti, Salem 636 007
2. The Public Prosecutor
High Court, Madras



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S.M.SUBRAMANIAM,J.

AND

M.JOTHIRAMAN,J.

SS

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