



WEB COPY



WP.No.2550 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2025

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

W.P.No.2550 of 2025

Elakkiya

... Petitioner

Vs.

The State represented by its,

1.The Secretary to Government of Tamil Nadu,
Prison Department-IV,
Fort St.George,
Chennai – 600 009.

2.The Director Inspector General of Prison,
Chennai Range,
Egmore,
Chennai – 600 008.

3.The Superintendent,
Central Prison-I,
Puzhal – 600 066.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the Impugned order bearing order no.389224/tha.ku.2/2024, dated 06.12.2024 passed by the 3rd respondent and quash the same and consecutively direct the respondents to grant ordinary leave for 21 days without escort to the detainee Balasubramani, S/o.Palanivel aged about 43 years, Convict No.8271, detained at Central Prison Puzhal, and pass.

For Petitioner : Ms.K.Akshaya
For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

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

The present writ petition has been filed to quash the impugned order bearing order no.389224/tha.ku.2/2024, dated 06.12.2024 passed by the 3rd respondent and to direct the respondents to grant ordinary leave for 21 days without escort to the detainee Balasubramani, S/o.Palanivel aged about 43 years, Convict No.8271, detained at Central Prison, Puzhal, Chennai.

2. The Convict Prisoner is in actual imprisonment for about 4 years and 4



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months. The leave application submitted by the petitioner was considered and the Prison authorities has granted 21 days ordinary leave with Police Escort. Thus, the present writ petition came to be instituted to quash the impugned order.

3. The learned counsel for the petitioner would submit that on previous occasion, the convict prisoner availed leave without escort and therefore, there is no reason to grant leave with escort.

4. The learned Additional Public Prosecutor made a submission that the conduct of the Convict Prisoner inside the Prison is found to be satisfactory and hence, the Probation Officer recommended to grant ordinary leave since the reason stated is found to be correct. Thus, this Court is inclined to modify the order impugned dated 06.12.2024.

5. Accordingly, the order passed by the 3rd respondent in No.389224/tha.ku.2/2024, dated 06.12.2024 is modified and the Convict Prisoner is permitted to avail twenty one (21) days Ordinary Leave without escort on the following conditions;



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- (1) The respondents are directed to release the Convict Prisoner viz., Balasubramani, S/o.Palanivel, aged about 43 years, bearing Convict No.8271, confined at Central Prison, Puzhal, Chennai on Ordinary Leave for a period of twenty one (21) days without escort commencing from 05.02.2025 to 25.02.2025.
- (2) The Convict Prisoner shall be released on 05.02.2025 at 10.00 A.M. and surrender before the Superintendent of Prisons, Central Prison, Puzhal, Chennai on 25.02.2025 at 05.00 P.M.
- (3) The Convict Prisoner is directed to report before H3, Tondiarpet Police Station, Chennai, twice in a week i.e., on every Monday and Tuesday on at 10.30 A.M, during the period of leave.
- (4) During the leave period, the Convict Prisoner shall abide by all the conditions prescribed in the Jail Manual.
- (5) 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.

6. With these conditions, the writ petition stands allowed. No costs.

[S.M.S., J.]

[M.J.R., J.]

31.01.2025

Index	:	Yes/No
Speaking Order	:	Yes/No
Neutral Citation	:	Yes/No



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To

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Chennai – 600 009.
- 2.The Director Inspector General of Prison,
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- 3.The Superintendent,
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- 4.The Additional Public Prosecutor,
Madras High Court.



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