



W.P.No.4304 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.02.2025

CORAM :

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

W.P.No.4304 of 2025

Sarasu

... Petitioner

Vs.

The State represented by its
1.The Secretary to the Government of
Tamil Nadu
Home (Prison IV) Department
Fort St. George
Chennai 600 009

2.The Director Inspector General of Prison
Coimbatore Range
Coimbatore Central Prison
Coimbatore 641 018

3.The Superintendent
Coimbatore Central Prison
Coimbatore 641 018

... 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 pertaining to the impugned order bearing No.22545 /



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Tha.Ku3 / 2024, dated 24.12.2024, passed by the 3rd respondent and quash the same and consecutively direct the respondents to grant ordinary leave for 30 days without escort to the detenu, Arumugam, S/o.Perumal, aged about 39 years, Convict No.23132, detained at Central Prison, Coimbatore.

For Petitioner	: Mr.S.Manoharan
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 for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order bearing No.22545 / Tha.Ku3 / 2024, dated 24.12.2024, passed by the 3rd respondent and quash the same and consecutively direct the respondents to grant ordinary leave for 30 days without escort to the detenu, Arumugam, S/o.Perumal, aged about 39 years, Convict No.23132, detained at Central Prison, Coimbatore.

2. The learned counsel for the petitioner submitted that the



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petitioner is the sister of the life convict, a representation was sent to the respondents by the petitioner seeking 30 days ordinary leave to the her brother to sell their property and to disburse their shares, as their parents are suffering from ailments, they need to make financial arrangements. The petitioner is having two children and they are struggling for their day to day expenses. Hence, his presence has become essential for them to dispose of their ancestral property and to settle the family members who are in below poverty line. The representation dated 27.11.2024 seeking ordinary leave for 30 days was rejected by the Deputy Inspector General of Prisons, Coimbatore Range No.1253/AA2/2024 dated 19.12.2024. Hence, the petitioner is before this Court.

3. Learned Additional Public Prosecutor has produced a report of the Probation Officer dated 10.02.2025, wherein the probation officer has stated that the reason given in the petitioner's representation dated 27.11.2024 is genuine. The Probation Officer has also stated that the representation was rejected by the Deputy Inspector General of Prison, Coimbatore Range. He has also stated that CrI.A.No.369 of 2023 is



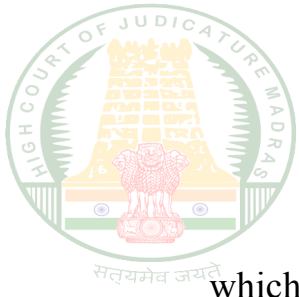
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pending before the High Court, hence, he is not eligible for ordinary or emergency leave as per Tamil Nadu Suspension of Sentence Rule 1982 Rule No.2(4).

4. Since the Probation Officer has recommended for grant of ordinary leave to the convict prisoner, this Court is inclined to direct the respondents to grant 21 days ordinary leave to the convict prisoner. Accordingly, the impugned order bearing No.22545 / Tha.Ku3 / 2024, dated 24.12.2024, passed by the 3rd respondent is hereby quashed.

5. This Writ Petition stands allowed accordingly. There shall be a direction to the respondents herein, to grant 21 days ordinary leave **“without escort”** to the life convict viz. Arumugam, S/o.Perumal, CT No.337190, commencing from 08.03.2025 to 28.03.2025, with a condition that the life convict shall report before the Illupur Police Station, daily at 10.30 a.m. After expiry of the Ordinary Leave, the life convict shall surrender before the Jail Authorities on 29.03.2025 before 10.00 a.m. The prisoner shall utilize the leave only for the purpose for



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which it has been granted and shall not indulge in any other activities.

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6. With the above direction, the Writ Petition stands allowed. No costs.

[M.S.R, J.] [N.S, J.]
28.02.2025

Index : Yes / No
Neutral Citation

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Note: Issue Order Copy on 07.03.2025

To.

1.The Secretary to the Government of
Tamil Nadu
Home (Prison IV) Department
Fort St. George
Chennai 600 009

2.The Director Inspector General of Prison
Coimbatore Range
Coimbatore Central Prison
Coimbatore 641 018

3.The Superintendent
Coimbatore Central Prison
Coimbatore 641 018



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and
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4.The Public Prosecutor
High Court of Madras
Chennai

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