



W.P.No.4098 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2025

CORAM :

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

W.P.No.4098 of 2025
and W.M.P.No.4601 of 2025

DEVIKA

...Petitioner/ mother the detenue

Vs.

1. The Deputy Inspector General Of
Prison,
Vellore Range, Vellore-632 002.

2. The Superintendent Of Prisons,
Central Prison, Cuddalore-4.

... 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.16845/ Tha.Ku.2/ 2024 dated 27.1.2025 passed by respondent No.2, and quash the same and consequently direct the respondents to grant 21 days ordinary leave to the petitioner's son, Murugan, S/o.Elumalai, aged 50 years (PID No.271705) Convict Prisoner No.16846 now confined in the Central Prison, Cuddalore.



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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.16845/ Tha.Ku.2/ 2024 dated 27.1.2025 passed by respondent No.2, and quash the same and consequently direct the respondents to grant 21 days ordinary leave to the petitioner's son, Murugan, S/o.Elumalai, aged 50 years (PID No.271705) Convict Prisoner No.16846 now confined in the Central Prison, Cuddalore.

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

3. The petitioner herein seeks for grant of 21 days of ordinary leave, without escort, on the ground that the petitioner requires the



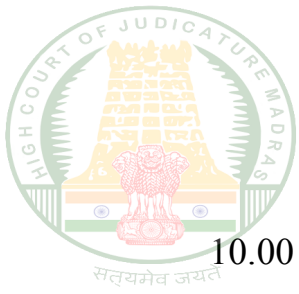
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presence of her son for arranging funds for her medical expenses and to renovate her house, which is in a dilapidated condition. Further, the detainee has undergone 4 years, 10 months and 9 days of imprisonment.

4.The learned Additional Public Prosecutor produced a copy of the Probation Officer's report dated 12.02.2025, in which, the Probation Officer has recommended for grant of leave as the reasons assigned by the petitioner is said to be true. He would submit that the convict prisoner is eligible for 21 days of leave.

5. Considering the fact that the Probation Officer has recommended for grant of leave and that the convict prisoner has not availed leave even once, we are inclined to grant ordinary leave for a period of 21 days in exercise of our powers under Article 226 of the Constitution of India.

6. Accordingly, the detainee viz., Murugan, S/o.Elumalai, aged 50 years (PID No.271705) Convict Prisoner No.16846, is hereby granted ordinary leave for a period of 21 days, without escort, commencing from



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10.00 am on 06.03.2025 to 5 pm of 26.03.2025. 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, Villupuram Taluk 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]

27.02.2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes/No

Neutral Citation: Yes/No

Anu

Note: Issue Order Copy on 05.03.2025

Upload the order copy forthwith

To

1. The Deputy Inspector General Of Prison,
Vellore Range, Vellore-632 002.

2. The Superintendent Of Prisons,
Central Prison, Cuddalore-4.



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3.The Inspector of Police,
Villupuram Taluk Police Station

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4.The Public Prosecutor,
High Court, Madras.



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and
N.SENTHILKUMAR, J.

Anu

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