



W.P.No.4299 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.4299 of 2025
and W.M.P.No.4808 of 2025

Selvi.Archana ...Petitioner/ daughter of the detenu
Vs.

1. State Of Tamilnadu
Rep By Its Principal Secretary To Government,
Home Prison Department,
Secretariat, Chennai-600 009
- 2.The Deputy Inspector General Of Prisons
Vellore Range, Ramset Nagar, Vellore-632 002
- 3.The Superintendent Of Prison
Central Prison, Cuddalore, Cuddalore District
- 4.The Inspector Of Police
Auroville Police Station,
Villupuram District
Cr.No.310 Of 2003

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, calling for the records relating to the order of rejections passed in Na.Ka.642253/Tha.Ku.2/2025 and Na.Ka.662743/Tha.Ku.2/2025 both on the file of the 3rd respondent dated 9.1.2025 and 20.1.2025



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respectively and quash the same and direct the 1st respondent to consider the application of the petitioner dated 24.1.2025 for ordinary leave of her father viz., Thambu alias Karthick (Male/45 years) (prisoner No.14616) now lodged at Central Prison, Cuddalore for a period of 30 days from 20.2.2025 to 21.3.2025, for arrangement and organization of the marriage of the petitioner schedule to be held on 12.3.2025 in the light of the rule 20(iv) and 40 of the Tamilnadu Suspension of Sentences Rules 1982.

For Petitioner : Mr.S.Doraisamy
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 order of rejections passed in Na.Ka.642253/Tha.Ku.2/2025 and Na.Ka.662743/Tha.Ku.2/2025 both on the file of the 3rd respondent dated 9.1.2025 and 20.1.2025 respectively and quash the same and direct the 1st respondent to consider the application of the petitioner dated 24.1.2025 for ordinary leave of her father viz., Thambu alias Karthick (Male/45 years) (prisoner No.14616), now lodged at Central Prison, Cuddalore for a period of 30 days from 20.2.2025 to 21.3.2025, for



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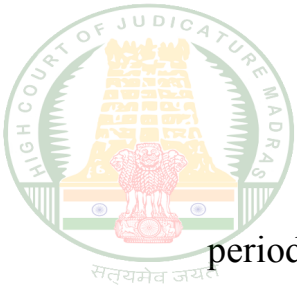
arrangement and organization of the marriage of the petitioner schedule to be held on 12.3.2025 in the light of the rule 20(iv) and 40 of the Tamilnadu Suspension of Sentences Rules 1982.

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

3. The petitioner herein seeks for grant of 30 days of leave for her father, without escort, on the ground that the marriage of the petitioner is scheduled to be held on 12.03.2025 at Puducherry, for which she requires the presence of her father to make arrangements for the same.

4. The learned Additional Public Prosecutor produced a copy of the Probation Officer's report dated 11.02.2025, in which, the Probation Officer has recommended for grant of leave as the reasons assigned by the petitioner is said to be true.

5. Considering the fact that the Probation Officer has recommended for grant of leave, we are inclined to grant leave for a



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period of 15 days in exercise of our powers under Article 226 of the Constitution of India.

6. Accordingly, the detenu viz., Thambu alias Karthick (Male/45 years) (prisoner No.14616), is hereby granted leave for a period of 15 days, without escort, commencing from 10.00 am on 06.03.2025 to 5 pm of 20.03.2025. 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, Aroville Police Station, Villupuram District daily at 05.00 p.m except on 11.03.2025 and 12.03.2025. 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

Neutral Citation: Yes/No

Anu

Note: Issue Order Copy on 05.03.2025

Upload the order copy forthwith



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WEB COPY

- To
- 1.The Principal Secretary To Government,
Home Prison Department,
Secretariat, Chennai-600 009
 - 2.The Deputy Inspector General Of Prisons
Vellore Range, Ramset Nagar, Vellore-632 002
 - 3.The Superintendent Of Prison
Central Prison, Cuddalore, Cuddalore District
 - 4.The Inspector Of Police
Auroville Police Station, Villupuram District
 - 5.The Public Prosecutor,
High Court, Madras.



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