



W.P.No.8653 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S.RAMESH

and

THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

W.P.No.8653 of 2025
and W.M.P.No.9672 of 2025

Meharunnisa

... Petitioner

Vs.

1.The Deputy Director Inspector General of Prisons
Vellore Division, Vellore

2.The Superintendent of Prisons
Central Prison, Vellore
Vellore

... 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 records pertaining to the impugned order bearing No.RO-VLR/09/2025-CAMP(A) dated 08.01.2025 passed by the 1st respondent and quash the same and consequently direct the respondents to grant 28 days ordinary leave without escort for the petitioner's son namely Eliyas, S/o.Syed Esmail, aged 23 years, Convict Prisoner, Central Prison, Vellore / PID No.284056.



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For Petitioner : M/s.E.Ezhil Caroline
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 records pertaining to the impugned order bearing No.RO-VLR/09/2025-CAMP(A) dated 08.01.2025 passed by the 1st respondent and quash the same and consequently direct the respondents to grant 28 days ordinary leave without escort for the petitioner's son namely Eliyas, S/o.Syed Esmail, aged 23 years, Convict Prisoner, Central Prison, Vellore / PID No.284056.

2. Learned counsel for the petitioner submitted that a representation dated 18.09.2024 was sent to the respondents seeking for a grant of 28 days ordinary leave to her son as the petitioner, who is the mother of the life convict was advised by the doctor to undergo



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angiogram due to her medical complications. Since the petitioner's husband stays in Kuwait for his employment and apparently the petitioner is left with one care, the presence of her son has become very vital to take care of her during her treatment and also to bear the expenses. The representation of the petitioner was rejected by the respondents on the ground that the life convict has not completed three years of his imprisonment.

3. Learned Additional Public Prosecutor has produced a report of the Probation Officer dated 07.04.2025, which is in favour of the life convict and the Probation Officer has stated that the reason for which the petitioner seeks for a grant of ordinary leave for her son is genuine. He added that the life convict is not eligible for the ordinary leave, as he has not completed three years of his sentence.

4. Since the reasons assigned by the Probation Officer in his report that the reasons assigned in the representation are true and the petitioner is also having some medical ailments to be treated, we are inclined to



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consider the prayer sought for in this Writ Petition.

5. This Writ Petition stands allowed accordingly. The proceedings of the 1st respondent dated 08.01.2025 is hereby quashed. Consequently, there shall be a direction to the respondents herein, to grant 28 days ordinary leave **“without escort”** to the life convict namely Mr.Eliyas, S/o.Syed Esmail, aged about 23 years, PID No.284056, commencing from 02.05.2025 to 29.05.2025, with a condition that the life convict shall report before the jurisdictional Police i.e. Ponnur Police Station, Vandavasi, daily at 10.30 a.m. After expiry of the Ordinary Leave, the life convict shall surrender before the Jail Authorities on 30.05.2025 before 10.00 a.m. The prisoner shall utilize the leave only for the purpose for which it has been granted and shall not indulge in any other activities. No costs. Consequently, the connected miscellaneous petition is closed.

[M.S.R, J.]

[N.S, J.]

25.04.2025

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Index: Yes / No

Neutral Citation

Note: Issue Order Copy on 30.04.2025



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1.The Deputy Director Inspector General of Prisons
Vellore Division, Vellore

2.The Superintendent of Prisons
Central Prison, Vellore
Vellore

3.The Public Prosecutor
High Court of Madras
Chennai



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