



W.P.No.6203 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

AND

THE HONOURABLE MR. JUSTICE N. SENTHILKUMAR

W.P.No.6203 of 2025
and W.M.P.No.6814 of 2025

Theerthamalai

... Petitioner

Vs.

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

2.The Deputy Inspector General of Prison,
Coimbatore Range,
Central Prison,
Coimbatore – 600 008.

3.The Superintendent,
Central Prison,
Coimbatore – 600 066.

... 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



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records pertaining to the impugned order No.21613/Tha.Ku.3/2024, dated 30.12.2024, issued by the 3rd respondent and quash the same and consequently direct the respondents to grant ordinary leave of 30 days without escort to the detenu, Prabhu, S/o.Theerthamalai, aged about 32 years, Convict No.23444, confined at Central Prison, Coimbatore.

For Petitioner : Dr.S.Manoharan
For Respondents : Mr.R.Muniyapparaj,
Additional Public Prosecutor
assisted by Mr.M.Sylvester John

ORDER

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

This Writ Petition has been filed challenging the impugned order dated 30.12.2024, rejecting the representation of the petitioner dated 13.11.2024.

2. The only reason assigned in the impugned order for rejecting the petitioner's request for grant of ordinary leave to his son is that the Probation Officer in his report has stated the reasons given by the petitioner as not true.

3. The learned counsel for the petitioner submitted that since the petitioner requires the presence of his son/life convict for partitioning the



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property, as well as to arrange educational expenses of the life convict's sons, he has sought for an ordinary leave for a period of 30 days for his son/life convict. The learned counsel further submitted that the life convict has undergone more than 3 years of imprisonment.

4. The learned Additional Public Prosecutor has produced the particulars of the life convict dated 13.03.2025, as well as the report of the Probation Officer dated 28.11.2024. The Probation Officer in his report has stated that the reasons assigned by the petitioner in his representation are true and hence, he has recommended to grant leave to the life convict.

5. By taking into consideration the report of the Probation Officer recommending to grant leave to the life convict, as well as the fact that the life convict has not availed any leave so far, we are inclined to grant 21 days of ordinary leave to the petitioner's son/life convict.

6. Accordingly, the impugned order dated 30.12.2024 passed in No.21613/Tha.Ku.3/2024 by the third respondent, is hereby quashed. Consequently there shall be a direction to the respondents herein, to grant 21



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days ordinary leave **“without escort”** to the life convict namely Prabhu, S/o.Theerthamalai, aged about 32 years, Convict No.23444, confined at Central Prison, Coimbatore, commencing from **22.03.2025 to 11.04.2025**, with a condition that the life convict shall report before the jurisdictional Police i.e. Harur Police Station, Dharmapuri District, **daily at 10.30 A.M.** After expiry of the Ordinary Leave, the life convict shall surrender before the Jail Authority on **11.04.2025** before **05.30 P.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.

7. With the above direction, the Writ Petition stands allowed. No costs. Connected miscellaneous petition is closed.

[M.S.R, J.]

[N.S, J.]

14.03.2025

Index: Yes/No

Speaking order/Non-speaking order

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Note: Issue Order Copy on 21.03.2025.



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WEB COPY
To

1.The Secretary to Government of Tamil Nadu,
Home Department, (Prison-IV),
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2.The Deputy Inspector General of Prison,
Coimbatore Range,
Central Prison,
Coimbatore – 600 008.

3.The Superintendent,
Central Prison,
Coimbatore – 600 066.

4.The Inspector of Police,
Harur Police Station,
Dharmapuri.

5.The Public Prosecutor,
High Court, Madras.



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M.S.RAMESH, J.
and
N. SENTHILKUMAR, J.

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