



W.P.No.6375 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

AND

THE HONOURABLE MR. JUSTICE N. SENTHILKUMAR

W.P.No.6375 of 2025
and W.M.P.No.7015 of 2025

Ganga

... Petitioner

Vs.

1.The Home Secretary,
Home Department (Prison),
Secretariat, Fort St.George,
Chennai – 600 009.

2.The Deputy Inspector General of Prison,
Vellore,
Vellore District.

3.The Superintendent of Prison,
Vellore Central Prison,
Vellore District.

... 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 proceedings in No.8995/Thaku-3/2024 by the 3rd respondent dated 10.12.2024, and quash the same and direct the 3rd



W.P.No.6375 of 2025

respondent to grant 28 days ordinary leave without escort to the petitioner's husband Selvam, S/o.Dhanakodi, Convict No.03, PID No.3526, who is currently lodged in Central Prison, Vellore.

For Petitioner : Mr.P.M.Basil

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 10.12.2024, rejecting the representation of the petitioner's husband/life convict dated 15.10.2024.

2. The reason assigned in the impugned order for rejecting the life convict's request for grant of ordinary leave to him is that he has absconded twice during his earlier leave granted by the jail authority.

3. The learned counsel for the petitioner submitted that the petitioner requires the presence of her husband/life convict to repair their house and hence, she has sought for leave for her husband /life convict.



W.P.No.6375 of 2025

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4. The learned Additional Public Prosecutor has produced the particulars of the life convict dated 14.03.2025, as well as the report of the Probation Officer dated 27.02.2025. The Probation Officer in his report has stated that the reason assigned by the petitioner's husband/life convict in his representation is true and hence, he has recommended to grant leave to her husband/life convict.

5. By taking into consideration the report of the Probation Officer, recommending to grant leave to the petitioner's husband/life convict, as well as the reason stated in the affidavit in support of this petition, we are inclined to grant 28 days of ordinary leave to the petitioner's husband/life convict.

6. Accordingly, the impugned order dated 10.12.2024 passed in No.8995/Thaku-3/2024 by the third respondent, is hereby quashed. Consequently there shall be a direction to the respondents herein, to grant 28 days ordinary leave ***“without escort”*** to the petitioner's husband/life convict namely Selvam, S/o.Dhanakodi, Convict No.03, PID No.3526, who is currently lodged in Central Prison, Vellore, commencing from **26.03.2025 to**



W.P.No.6375 of 2025

22.04.2025, with a condition that the life convict shall report before the jurisdictional Police i.e. Thirukovilur Police Station, **daily twice at 10.30**

A.M & 5.30 P.M. After expiry of the Ordinary Leave, the life convict shall surrender before the Jail Authority on **22.04.2025** 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.]

17.03.2025

Index: Yes/No

Speaking order/Non-speaking order

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Note: Issue Order Copy on 25.03.2025.



W.P.No.6375 of 2025

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To

- 1.The Home Secretary,
Home Department (Prison),
Secretariat, Fort St.George,
Chennai – 600 009.
- 2.The Deputy Inspector General of Prison,
Vellore,
Vellore District.
- 3.The Superintendent of Prison,
Vellore Central Prison,
Vellore District.
- 4.The Inspector of Police,
Thirukovilur Police Station,
Thirukovilur.
- 5.The Public Prosecutor,
High Court, Madras.



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W.P.No.6375 of 2025

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

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W.P.No.6375 of 2025

17.03.2025