



WEB COPY

WP No. 6270 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-06-2025

CORAM

THE HONOURABLE MR JUSTICE M.S. RAMESH

AND

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

WP No. 6270 of 2025

Padmavathi

Petitioner

Vs

1. The Inspector General of Prison
Central Prison, Kalapattu,
Puducherry 605014.

2.The Chief Superintendent of Jails
Government Of Puducherry,
Jail Department, Pudhucherry.

3.The Superintendent Of Prison
Central Prison, Kalapattu,
Puducherry 605014.

4.The Inspector Of Police
Odiansalai Police Station,
Puducherry.
Cr.No. 104 of 1998.

Respondents



PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the order passed by the 2nd respondent in No.4954/CON/OP/CSJ/JD/2024-25 dated 13.02.2025 quash the same and direct the respondents to grant emergency leave for a period of 15 days to the petitioner husband Mani @ Manikandan (Male/43 years) (Prisoner No. 4954) who is confined in Central -Jail, Yanam for surgery of the petitioners minor son Adithya Varma (aged 3 years) who is critically suffered from fits and paralysis, to take treatment for his aliment, to visit his new born female child and to make financial arrangements for renovation of petitioners house which is in dilapidated condition.

For Petitioner : Mr.V.Elangovan

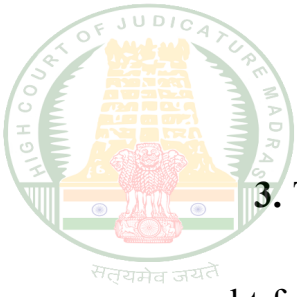
For Respondents : Mr.K.S.Mohandoss,
Public Prosecutor (Pudhucherry)

ORDER

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

This Writ Petition has been filed challenging the impugned order dated 13.02.2025, rejecting the representation of the petitioner for grant of leave.

2. The only reason assigned in the impugned order for rejecting the petitioner's request for grant of leave to her husband/convict prisoner is that the convict prisoner's life will be in danger if he comes out from jail.

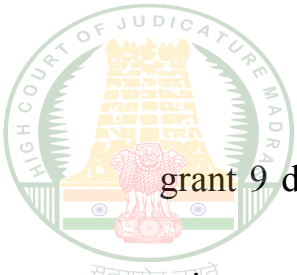


3. The learned counsel for the petitioner submitted that the petitioner has sought for leave for a period of 15 days for her husband/convict prisoner, since she requires his presence to take care of her son and to make livelihood arrangements.

4. The learned Public Prosecutor (Puducherry) has produced the report of the Probation Officer dated 12.03.2025. The Probation Officer, upon investigation, has not recommended to grant leave to the convict prisoner for the prisoner's safety.

5. Considering the reasons stated by the petitioner for seeking leave for her son/convict prisoner, as well as the fact that the convict prisoner has not availed any leave so far, we are inclined to consider the prayer sought for in this Writ Petition by invoking our powers under Article 226 of the Constitution of India.

6. Accordingly, the impugned order dated 13.02.2025 passed in No.4954/CON/OP/CSJ/JD/2024-25 by the second respondent, is hereby quashed. Consequently, there shall be a direction to the respondents herein, to



grant 9 days leave “*with minimum escort*” to the petitioner's husband/convict

prisoner namely Mani @ Manikandan, S/o.Sugunaraj, aged about 43 years,

bearing Convict No.4954, confined at Central Prison, Kalapattu, Puducherry,

commencing from **17.06.2025 to 25.06.2025**. After expiry of the Leave, the

convict prisoner shall surrender before the Jail Authority on **26.06.2025** 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.

(M.S.RAMESH J.) (V.LAKSHMINARAYANAN J.)

10-06-2025

Note: Issue order copy on or before 16.06.2025

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Index: Yes/No

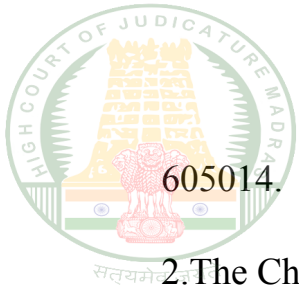
Speaking/Non-speaking order

Neutral Citation: Yes/No

To

1.The Inspector General Of Prison

Central Prison, Kalapattu, Puducherry



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2.The Chief Superintendent Of Jails
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Department, Pudhucherry.

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