



W.P.No.6857 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH
AND
THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

W.P.No.6857 of 2025
and W.M.P.No.7546 of 2025

RAJESHWARI

...Petitioner/ wife of the detenue

Vs.

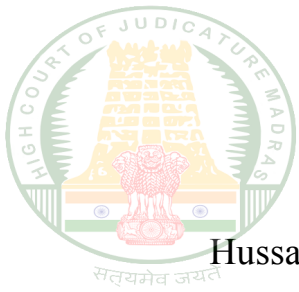
1. The State Represented By Its
The Secretary To Government Of Tamil Nadu,
Home (prison IV) Department,
Fort St. George Chennai 600 009

2.The Deputy Inspector Of General Of Prison
Chennai Range,
Chennai 600 008

3.The Superintendent
Central Prison,
Puzhal - 600 066

... 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 the records pertaining to the Impugned order bearing No. 649013 / Tha. Ku. 2 / 2025 dated 07.02.2025, passed by the 3rd respondent and quash the same and consecutively, direct the respondents to grant ordinary leave for 30 days, without escort to the detenue, Rahuman S/o Zakir



W.P.No.6857 of 2025

Hussain, aged about 35 years, Convict No.5249, confined at central Prison, Puzhal -I.

For Petitioner : Ms.K.Akshaya
For Respondent : 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 pertaining to the Impugned order bearing No. 649013 / Tha. Ku. 2 / 2025 dated 07.02.2025, passed by the 3rd respondent and quash the same and consecutively, direct the respondents to grant ordinary leave for 30 days, without escort to the detainee, Rahuman S/o Zakir Hussain, aged about 35 years, Convict No.5249, confined at central Prison, Puzhal -I.

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



W.P.No.6857 of 2025

WEB COPY

3. The petitioner herein seeks for grant of 30 days of ordinary leave for her husband, without escort, on the ground that the petitioner has certain medical ailments and she requires her husband for arranging funds for the treatment and for making arrangements for the livelihood of their family. Further, the detenue has undergone 8 years, 1 month and 21 days of imprisonment.

4. The learned Additional Public Prosecutor produced a copy of the Probation Officer's report dated 19.02.2025, in which, the Probation Officer has recommended for grant of leave as the reasons assigned by the petitioner is said to be true. He would submit that the prisoner is eligible for 28 days of ordinary leave.

5. Considering the fact that the Probation Officer has recommended for grant of leave, we are inclined to grant ordinary leave for a period of 28 days in exercise of our powers under Article 226 of the Constitution of India.



W.P.No.6857 of 2025

6. Accordingly, the impugned order bearing No. 649013 / Tha. Ku.

2 / 2025 dated 07.02.2025 passed by the 3rd respondent is quashed and the detenu viz., Rahuman S/o Zakir Hussain, aged about 35 years, Convict No.5249, confined at central Prison, Puzhal -I, is hereby granted ordinary leave for a period of 28 days, without escort, commencing from 10.00 am on 27.03.2025 to 5 pm of 23.04.2025. On expiry of the ordinary leave, the detenu shall surrender before the prison authorities. During the period of leave, the prisoner shall report before the Inspector of Police, Ennore Police Station, daily at 05.00 p.m. 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]

19.03.2025

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

Anu

Note: Issue Order Copy on 26.03.2025

Upload the order copy forthwith



W.P.No.6857 of 2025

WEB COPY

To

1.The Secretary To Government Of Tamil Nadu,
Home (prison IV) Department,
Fort St. George Chennai 600 009

2.The Deputy Inspector Of General Of Prison
Chennai Range,
Chennai 600 008

3.The Superintendent
Central Prison,
Puzhal - 600 066

4.The Inspector of Police,
Ennore Police Station.

5.The Public Prosecutor,
High Court, Madras.



WEB COPY



W.P.No.6857 of 2025

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

Anu

W.P.No.6857 of 2025
and W.M.P.No.7546 of 2025

19.03.2025