



W.P.No.6876 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

AND

THE HONOURABLE MR. JUSTICE N. SENTHILKUMAR

W.P.No.6876 of 2025
and W.M.P.No.7571 of 2025

Jalagantha

... Petitioner

Vs.

1.The Deputy Inspector General of Prisons,
Chennai Range, Prison Head Quarters,
Whannels Road,
Egmore, Chennai – 600 008.

2.The Superintendent of Prisons,
Central Prison,
Puzhal, Chennai.

... 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 in the order No.623306/tha.ku.2/2024 dated 20.01.2025 passed by respondent no.2 and quashing the same and directing the petitioner's son namely Madhi, S/o.Krishnan, aged about 57 years, Convict No.8959, convict prisoner, Central Prison, Puzhal.



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For Petitioner : Mrs.S.Nadhiya
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 20.01.2025, rejecting the representation of the petitioner dated 28.12.2024.

2. The reason assigned in the impugned order for rejecting the petitioner's request for grant of ordinary leave to her son/life convict is that the life convict is not eligible for 15 days emergency leave as per Rules 6 & 13 of Tamil Nadu Suspension of Sentence Rules, 1983.

3. The learned counsel for the petitioner submitted that since the petitioner is very old age, she requires the presence of her son/life convict to take care of her and to arrange funds for her medical expenses.



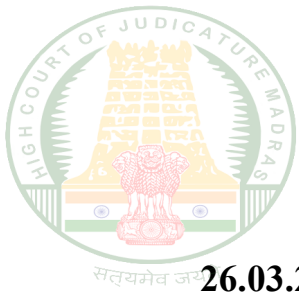
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4. The learned Additional Public Prosecutor has produced the particulars of the life convict dated 19.03.2025, as well as the report of the Probation Officer dated 07.02.2025. The Probation Officer in his report has stated that the reason assigned by the petitioner in her representation is true and hence, he has recommended to grant leave to her son/life convict.

5. By taking into consideration the report of the Probation Officer, recommending to grant leave to the petitioner's son/life convict, as well as the reasons stated in the affidavit in support of this petition, we are inclined to grant 6 days of emergency leave to the petitioner's son/life convict.

6. Accordingly, the impugned order dated 20.01.2025 passed in No.623306/tha.ku.2/2024 by the second respondent, is hereby quashed. Consequently there shall be a direction to the respondents herein, to grant 6 days emergency leave *“without escort”* to the petitioner's son/life convict namely Madhi, S/o.Krishnan, aged about 57 years, Convict No.8959, confined in Central Prison, Puzhal, commencing from



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26.03.2025 to 31.03.2025, with a condition that the life convict shall report before the jurisdictional Police i.e. N2 Kasimedu Police Station, Chennai, **daily at 10.30 A.M.** After expiry of the Emergency Leave, the life convict shall surrender before the Jail Authority on **01.04.2025** 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.

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

[M.S.R, J.]

[N.S, J.]

21.03.2025

Index: Yes/No

Speaking order/Non-speaking order

Internet: Yes/No

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Note: Issue Order Copy on 25.03.2025.



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To

1.The Deputy Inspector General of Prisons,
Chennai Range,
Prison Head Quarters,
Whannels Road,
Egmore, Chennai – 600 008.

2.The Superintendent of Prisons,
Central Prison,
Puzhal, Chennai.

3.The Inspector of Police,
N2 Kasimedu Police Station,
Chennai.

4.The Public Prosecutor,
High Court, Madras.



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

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