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W.P.No.7143 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.03.2025

CORAM :

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

W.P.No.7143 of 2025

Nakkeeran

... Petitioner

Vs.

1.The Additional Director General of Prisons
Egmore, Chennai 600 008

2.The Superintendent of Prison
Central Prison, Trichy
Trichy

... 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 impugned rejection order vide No.RO.TRY/582/MuVu/2024, dated 04.11.2024 and quash the same and further direct the respondents to release Panchanathan (Convict Prisoner No.20222) S/o.Singaiyadevar on parole for a period of 30 days.

For Petitioner : Mr.A.S.Aswin Prasanna

For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor
assisted by Mr.M.Sylvester John

ORDER



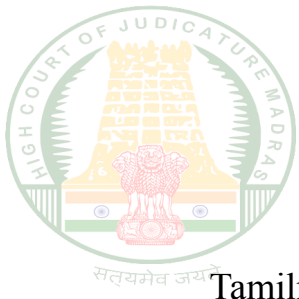
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M.S.RAMESH, J.
AND
N.SENTHILKUMAR, J.

This Writ Petition has been filed for issuance of Writ Certiorarified Mandamus, to call for the impugned rejection order vide No.RO.TRY/582/MuVu/2024, dated 04.11.2024 and quash the same and further direct the respondents to release Panchanathan (Convict Prisoner No.20222) S/o.Singaiyadevar on parole for a period of 30 days.

2. The learned counsel for the petitioner submitted that the petitioner is the son of the life convict. A representation was submitted to the 2nd respondent on 29.09.2024, seeking 30 days ordinary leave on the ground that the petitioner's mother is ill and his father who is a life convict is also suffering from old age ailments. The mother of the petitioner wishes to see her husband. Since the same was rejected by the 2nd respondent vide order passed in No.RO.TRY/582/MuVu/2024, dated 04.11.2024, the present petition has been preferred.

3. Learned Additional Public Prosecutor submitted that the petitioner's representation was rejected by the 2nd respondent as per the



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Tamilnadu Suspension of Sentence Rule No.2(4), wherein it states that prisoners on whom an appeal case is pending shall not eligible for ordinary leave. Since the above convict is having a pending case in Diary No.3967 of 2017, his representation was rejected. The probation officer has stated in his report that the reasons given in the representation are genuine and he has given his recommendation for his parole.

4. Since the Probation Officer has given his recommendation for the grant of leave, this Court is inclined to direct the respondents to grant 10 days ordinary leave to the convict prisoner. Accordingly, the proceedings of the 2nd respondent vide proceedings No.RO.TRY/582/MuVu/2024, dated 04.11.2024 is hereby quashed.

5. This Writ Petition stands allowed. There shall be a direction to the respondents herein, to grant 10 days ordinary leave ***“without escort”*** to the life convict viz. Panchanathan, S/o.Singalya thevar, bearing Convict No.20222, commencing from 13.03.2025 to 22.03.2025, with a condition that the life convict shall report before the Paravakottai Police Station, daily at 10.30 a.m. After expiry of the Ordinary Leave, the life



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convict shall surrender before the Jail Authorities on 23.03.2025 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.

6. With the above direction, the Writ Petition stands allowed. No costs.

[M.S.R, J.] [N.S, J.]
06.03.2025
(1/2)

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Note: Issue Order Copy on 11.03.2025

To.

1.The Additional Director General of Prisons
Egmore, Chennai 600 008

2.The Superintendent of Prison
Central Prison, Trichy

3.The Public Prosecutor
High Court of Madras
Chennai

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

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