



W.P.No.7375 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.03.2025

CORAM :

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

W.P.No.7375 of 2025
and W.M.P.No.8240 of 2025

VELLAIYAMMAL

...Petitioner/ wife of the detenue

Vs.

1. The State Rep By Its
The Secretary To Government Of Tamil Nadu,
Department Of Home, Fort St. George, Chennai-09.

2.The Deputy Inspector Of General Of Prison
Coimbatore Range, Coimbatore.

3.The Superintdent
Coimbatore Central Prison,
Coimbatore.

... 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.20694/Tha. Ku.3/ 2024, dated 14.12.2024, passed by the 3rd respondent and quash the same and consequently direct the 2nd respondent to grant ordinary leave for 40 days, without escort to the detenue saravanan, S/o. Kandhasamy, aged abut 50 years, bearing convict No. 825, and PID No. 25293, confined at Central Prison, Coimbatore.



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For Petitioner : Mr.P.Bakiyaraj
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.20694/Tha. Ku.3/ 2024, dated 14.12.2024, passed by the 3rd respondent and quash the same and consequently direct the 2nd respondent to grant ordinary leave for 40 days, without escort to the detenu saravanan, S/o. Kandhasamy, aged about 50 years, bearing convict No. 825, and PID No. 25293, confined at Central Prison, Coimbatore.

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

3. The petitioner herein seeks for grant of 40 days of ordinary



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leave for her husband, without escort, on the ground that the petitioner has certain medical ailments and requires her husband to arrange funds for the medical treatment and to make arrangements for the livelihood of their family. Further, the detainee has undergone 25 years, 5 months and 24 days of imprisonment.

4.The learned Additional Public Prosecutor produced a copy of the Probation Officer's report dated 22.11.2024 in which, the Probation Officer has not recommended for grant of leave since the reasons assigned by the petitioner is said to be false. He would submit that one year has not been completed for the prisoner to avail ordinary leave as he had already availed ordinary leave for 21 days in W.P.No.9862 of 2024 dated 17.04.2024 from 22.04.2024 to 12.05.2024.

5. Although the Probation Officer has not recommend for grant of leave, considering the medical requirement of the petitioner, we are inclined to grant leave for a period of 7 days in exercise of our powers under Article 226 of the Constitution of India.

6. Accordingly, the detainee viz., Saravanan, S/o. Kandhasamy, aged about 50 years, bearing convict No. 825, and PID No. 25293



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confined at Central Prison, Coimbatore, is hereby granted leave for a period of 7 days, without escort, commencing from 10.00 am on 02.04.2025 to 5 pm of 08.04.2025. On expiry of the leave, the detenu shall surrender before the prison authorities. During the period of leave, the prisoner shall report before the Inspector of Police, Tiruchengode Town Police Station, daily at 10.30 a.m and 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]

24.03.2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes/No

Neutral Citation: Yes/No

Anu

Note: Issue Order Copy on 01.04.2025

Upload the order copy forthwith

To

1.The Secretary To Government Of Tamil Nadu,
Department Of Home, Fort St. George, Chennai-09.



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2.The Deputy Inspector Of General Of Prison
Coimbatore Range, Coimbatore.

3.The Superintendent
Coimbatore Central Prison,
Coimbatore.

4.The Inspector of Police,
Tiruchengode Town Police Station

5.The Public Prosecutor,
High Court, Madras.



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N.SENTHILKUMAR, J.

Anu

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