



W.P.No.8076 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2025

CORAM :

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

W.P.No.8076 of 2025

PARAMESHWARI

...Petitioner/ wife of the detenue

Vs.

1. The State Rep By Represented By Its
The Deputy Inspector General Of Prison,
Coimbatore Range,
Coimbatore 641 018

2.The Superintendent
Central Prison,
Salem 636 008

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, to direct the respondents to grant emergency leave of 15 days, without escort to the detenue, Kanivalavan, S/o.Muthupaiyan, aged 42 years, CT No. 1026, PID No. 468573, confined at Central Prison, Salem.



WEB COPY



W.P.No.8076 of 2025

For Petitioner : Ms.K.Akshaya
For Respondent : Mr.R.Muniyapparaj
Additional Public Prosecutor
assisted by Mr.M.Sylvester John

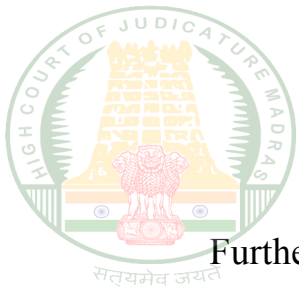
ORDER

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

This writ petition has been filed to direct the respondents to grant emergency leave of 15 days, without escort to the detenue, Kanivalavan, S/o.Muthupaiyan, aged 42 years, CT No. 1026, PID No. 468573, confined at Central Prison, Salem.

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

3. The petitioner herein seeks for grant of 15 days of emergency leave, without escort, on the ground that the petitioner has certain medical ailments and her younger son is suffering from intermittent neck pain and require the presence of the detenue for arranging funds for the treatment and to make arrangements for the livelihood of their family.



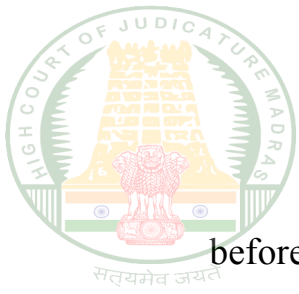
W.P.No.8076 of 2025

Further, the detainee has undergone 2 years, 9 months and 26 days of imprisonment.

4.The learned Additional Public Prosecutor produced a copy of the Probation Officer's report dated 26.03.2025, in which, the Probation Officer has not recommended for grant of leave since the reasons assigned by the petitioner is said to be false.

5. Although the Probation Officer has not recommend for grant of leave, considering the fact that the convict prisoner has availed leave only once, we are inclined to grant emergency leave for a period of 6 days in exercise of our powers under Article 226 of the Constitution of India.

6. Accordingly, the detainee viz., Kanivalavan, S/o.Muthupaiyan, aged 42 years, CT No. 1026, PID No. 468573, confined at Central Prison, Salem, is hereby granted emergency leave for a period of 6 days, without escort, commencing from 10.00 am on 05.04.2025 to 5 pm of 10.04.2025. On expiry of the ordinary leave, the detenu shall surrender



W.P.No.8076 of 2025

before the prison authorities. During the period of leave, the prisoner shall report before the Inspector of Police, Mettur 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.

[M.S.R., J] [N.S., J]

28.03.2025

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes/No
Neutral Citation: Yes/No

Anu

Note: Issue Order Copy on 04.04.2025

Upload the order copy forthwith

To

1.The Deputy Inspector General Of Prison,
Coimbatore Range,
Coimbatore 641 018

2.The Superintendent
Central Prison,
Salem 636 008



W.P.No.8076 of 2025

3.The Inspector of Police,
Mettur police Station.

WEB COPY

4.The Public Prosecutor,
High Court, Madras.



WEB COPY



W.P.No.8076 of 2025

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

Anu

W.P.No.8076 of 2025

28.03.2025