



W.P.No.8289 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S.RAMESH

and

THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

W.P.No.8289 of 2025
and W.M.P.No.9288 of 2025

K.Rama

... Petitioner

Vs.

1.The State represented by its
The Deputy Inspector General of Prison
Gandhi Irwin Road, Egmore
Chennai 600 008

2.The Superintendent
Puzhal Central Prison -1
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 records connected with impugned order No.611847/Tha.Ku.2/2024 dated 07.01.2025 passed by the second respondent and quash the same directing the respondents to grant medical leave for 60 days without escort to the detenu, Kasi Viswanathan, S/o.Vengatachalam, aged about 67 years bearing Convict No.2435, confined at Central Prison-I, Puzhal.

For Petitioner : M/s.S.Sadhana



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For Respondents

: 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 for issuance of Writ of Certiorarified Mandamus, to call for records connected with impugned order No.611847/Tha.Ku.2/2024 dated 07.01.2025 passed by the second respondent and quash the same directing the respondents to grant medical leave for 60 days without escort to the detenu, Kasi Viswanathan, S/o.Vengatachalam, aged about 67 years bearing Convict No.2435, confined at Central Prison-I, Puzhal.

2. Learned counsel for the petitioner submitted that the petitioner is the wife of the convict prisoner that a representation dated 13.12.2024 was sent to the respondents seeking for a grant of 60 days medical leave as she is suffering from blockage in the cardiovascular tube. The doctors have also advised her to get admitted in the hospital immediately. Since the family could not raise funds for the treatment, the presence of the



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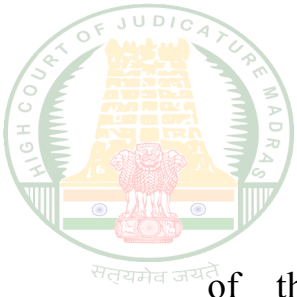
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convict prisoner is very essential. The said representation of the petitioner was rejected by the respondents.

3. Learned Additional Public Prosecutor has produced a report of the Probation Officer dated 10.03.2025, which is in favour of the convict prisoner at the same time the report states that as per Rule No.22(3) of Tamil Nadu Suspension of Sentence Rules 1982 as amended in G.O.MS.No.205, Home (Prison - V) Department dt.25.04.2022, the above prisoner did not complete one year of imprisonment from the date of his return from the last ordinary leave to be eligible for the next ordinary leave, as he availed 28 days ordinary leave from 23.05.2024 to 21.06.2024.

4. Since the reasons assigned by the Probation Officer in his report that the reasons assigned in the representation are true and the petitioner is also having some medical emergency to be treated, we are inclined to consider the prayer sought for in this Writ Petition.

5. This Writ Petition stands allowed accordingly. The proceedings



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of the 2nd respondent dated 07.01.2025 is hereby quashed.

Consequently, there shall be a direction to the respondents herein, to grant 28 days ordinary leave “*without escort*” to the life convict namely Mr.Kasi @ Kasi Viswanathan, S/o.Venkatachalam, aged about 68 years, Convict No.2435, commencing from 02.05.2025 to 29.05.2025, with a condition that the life convict shall report before the jurisdictional Police i.e. R7, K.K.Nagar Police Station, Chennai, daily at 10.30 a.m. After expiry of the Ordinary Leave, the life convict shall surrender before the Jail Authorities on 30.05.2025 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. No costs. Consequently, the connected miscellaneous petition is closed.

[M.S.R, J.]

[N.S, J.]

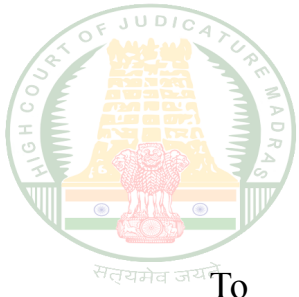
25.04.2025

kas

Index: Yes / No

Neutral Citation

Note: Issue Order Copy on 30.04.2025



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To
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1.The Deputy Inspector General of Prison
Gandhi Irwin Road, Egmore
Chennai 600 008

2.The Superintendent
Puzhal Central Prison -1
Puzhal 600 066

3.The Public Prosecutor
High Court of Madras
Chennai



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