



W.P.No.7906 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.7906 of 2025
and W.M.P.No.8895 of 2025

Vaijayanthi Mala

...Petitioner/ sister-in-law of the detenue

Vs.

1. The Home Secretary
Home Department (prison),
Secretariat, Fort St.George,
Chennai 600009

2.The Deputy Inspector General Of Prisons
Madurai Range, Madurai 625001

3.The Superintendent Of Prison,
Central Prison, Palayamkottai 627007

... 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 relating to the proceedings in No.225/Uth2/2024 by the 2nd respondent dated 21.02.2025 and quash the same and direct the 2nd respondent to grant 28 days ordinary leave, without escort to the petitioner's brother in law Sathish, s/o Sivakamu Reddiyar Convict



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No.3367 PID No.17187, who is currently lodged in Central Prison Palayamkottai.

For Petitioner : Mr.P.M.Basil
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 calling for the records relating to the proceedings in No.225/Uth2/2024 by the 2nd respondent dated 21.02.2025 and quash the same and direct the 2nd respondent to grant 28 days ordinary leave, without escort to the petitioner's brother in law Sathish, s/o Sivakamu Reddiyar Convict No.3367 PID No.17187, who is currently lodged in Central Prison Palayamkottai.

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



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3. Pending the Writ Petition, the Jail Authorities have granted ordinary leave to the prisoner for a period of 28 days, with escort vide order No.225/உத.2/2024 dated 21.02.2025.

4. Learned counsel for the petitioner would submit that the prisoner is not in a position to afford for leave, with escort in view of his financial status.

5. In view of the Probation Officer's report, we do not find any reason as to why escort shall be provided for the prisoner since there is no threat to his safety. Accordingly, the order passed by the Jail Authorities in No.225/உத.2/2024 dated 21.02.2025, granting 28 days of ordinary leave, with escort is modified to leave, without escort commencing from 10.00 am on 05.04.2025 to 5 pm of 02.05.2025. However, there shall be a further condition that the convict prisoner shall report before the Inspector of police, Eppothumvenran Police Station, Thirunelveli District daily 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. All other conditions imposed by the Jail



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Authorities in the order shall remain in tact.

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6. Accordingly, the Writ Petition stands allowed. No costs.

Consequently, connected miscellaneous petition is closed.

[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 Home Secretary
Home Department (prison),
Secretariat, Fort St.George,
Chennai 600009

2.The Deputy Inspector General Of Prisons
Madurai Range, Madurai 625001

3.The Superintendent Of Prison,
Central Prison, Palayamkottai 627007



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4.The Inspector of Police,
Eppothumvenran Police Station,
Thirunelveli District.

5.The Public Prosecutor,
High Court, Madras.



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