



W.P.No.7951 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.7951 of 2025

PERUMAYI

...Petitioner/ mother of the detenue

Vs.

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

2.The Superintendent
Salem Central Prison,
Salem

... 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 for 15 days without escort to the detenue, Sabarinathan, s/o Raman, aged about 27 years, convict prisoner, bearing convict No. 9752 and PID No. 4702, confined at central prison, Salem.

For Petitioner

: Mr.S.Pandiyan

For Respondents

: Mr.R.Muniyapparaj

Additional Public Prosecutor

assisted by Mr.M.Sylvester John



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ORDER

M.S.RAMESH, J.

and

N.SENTHILKUMAR, J.

This writ petition has been filed to direct the respondents to grant emergency leave for 15 days without escort to the detenue, Sabarinathan, s/o Raman, aged about 27 years, convict prisoner, bearing convict No. 9752 and PID No. 4702, 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 for her son, without escort, on the ground that the petitioner has certain medical ailments and she requires the presence of her son for taking care of her and to arrange funds for the treatment. Further, the detenue has undergone 2 years, 4 months and 25 days of imprisonment.

4. The learned Additional Public Prosecutor produced a copy of the Probation Officer's report dated 25.03.2025, in which, the Probation



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Officer has recommended for grant of leave as the reasons assigned by the petitioner is said to be true. He would submit that the prisoner is eligible for 6 days of emergency leave.

5. Considering the fact that the Probation Officer has recommended for grant of leave and that the convict prisoner has not availed leave even 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 detenue viz., Sabarinathan, s/o Raman, aged about 27 years, convict prisoner, bearing convict No. 9752 and PID No. 4702, 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 before the prison authorities. During the period of leave, the prisoner shall report before the Inspector of Police, Pappireddipatti, 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.



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Anu

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

2.The Superintendent
Salem Central Prison,
Salem

3.The Inspector of Police,
Pappireddipatti.

4.The Public Prosecutor,
High Court, Madras.

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