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W.P.No.8043 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.8043 of 2025

M.Nisha Akbar

...Petitioner/ sister of the detenue

Vs.

The State represented by its,
The Deputy Inspector General of Prison,
Vellore Range, Ramset Nagar, Thorapadi,
Vellore-632 002.

2.The Superintendent of Prison,
Central Prison at Cuddalore,
Cuddalore-607 003.

... 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 12 days of ordinary leave, without escort to the convict namely Sheikh Meeran, S/o.B.M.S.Ali, (CT.No.15588).

For Petitioner : Mr.M.Mohamed Saifulla

For Respondent : 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 12 days of ordinary leave, without escort to the convict namely Sheikh Meeran, S/o.B.M.S.Ali, (CT.No.15588).

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

3. The petitioner herein seeks for grant of 12 days of ordinary leave for her brother, without escort, on the ground that the petitioner has certain medical ailments and also that her brother/convict prisoner is afflicted with bronchial asthma and varicose veins, which condition requires proper treatment. The petitioner requires her brother's presence for arranging funds for the treatment. Further, the detenue has undergone 23 years, 9 months and 22 days of imprisonment.



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4.The learned Additional Public Prosecutor produced a copy of the Probation Officer's report dated 15.03.2025, in which, the Probation 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 12 days of ordinary leave.

5. Considering the fact that the Probation Officer has recommended for grant of leave, we are inclined to grant ordinary leave for a period of 12 days in exercise of our powers under Article 226 of the Constitution of India.

6. Accordingly, the detenue viz., Sheikh Meeran, S/o.B.M.S.Ali, (CT.No.15588), is hereby granted ordinary leave for a period of 12 days, without escort, commencing from 10.00 am on 30.03.2025 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, Asaripalam Police Station, Kanniyakumari District, daily at 05.00 p.m. The Convict Prisoner shall utilize the leave only for the ground on which it has been granted and



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shall not indulge in any other activities.

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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 28.03.2025

Upload the order copy forthwith

To

1.The Deputy Inspector General of Prison,
Vellore Range, Ramset Nagar, Thorapadi,
Vellore-632 002.

2.The Superintendent of Prison,
Central Prison at Cuddalore,
Cuddalore-607 003.

3.The Inspector of Police,
Asaripalam Police Station,
Kanniyakumari District.

4.The Public Prosecutor,
High Court, Madras.



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and
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