



W.P.No.10688 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

and

THE HONOURABLE MR. JUSTICE V.LAKSHMINARAYANAN

W.P.No.10688 of 2025
and W.M.P.No.12046 of 2025

Mariyaselvam

.. Petitioner

Vs.

1.The Home Secretary,
Home Department (Prison),
Secretariat, Fort St. George,
Chennai – 600 009.

2.The Inspector General of Prisons,
Prison Head Quarters,
Egmore, Chennai – 600 008.

3.The Superintendent of Prison,
Central Prison I,
Puzhal, Chennai – 600 066.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Certiorarified Mandamus, calling for the
records relating to the proceedings in No.450290/Thaku.2/2024 by the 3rd



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respondent dated 19.12.2024, and quash the same and direct the 3rd respondent to grant 21 days ordinary leave without escort to the petitioner's husband George, S/o.Sebastian, Convict Prisoner No.8971 (PID 9904), who is presently lodged in Central Prison, Puzhal-I, Chennai.

For Petitioner : Mr.P.M.Basil

For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

(Order of the Court was made by *M.S.RAMESH, J.*)

This Writ Petition has been filed challenging the impugned order dated 19.12.2024 of the 3rd respondent, wherein the 3rd respondent has sought for the details of the sureties from the Tahsildar, Perambur, Chennai.

2.The learned counsel for the petitioner submitted that the convict prisoner has undergone more than 2 years of imprisonment and therefore sought for grant of ordinary leave.



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3.The learned Additional Public Prosecutor has produced the particulars of the convict prisoner dated 31.03.2025, which states that the surety bond with two sureties, which was requested from the Perambur Tahsildar Office, is still awaited and on receipt of the surety bonds, the prisoner will be granted leave. Further, the learned Additional Public Prosecutor also produced the report of the Probation Officer dated 16.11.2024, which states that the reason assigned by the petitioner seeking leave for her husband is genuine and hence, he has recommended for grant of leave.

4.In the impugned order, the 3rd respondent herein had recorded the order passed by the 2nd respondent recommending for grant of 21 days leave with escort and further called upon the Tahsildar, Perambur, to obtain from the prisoner the bail bonds from two sureties for a sum of Rs.500/- (Rupees Five Hundred Only) each. The Probation Officer in his report has stated that during the course of enquiry, it was found that if the prisoner is granted leave, there would be no threat to him. We also do not find any reason assigned by the Probation Officer as to why he



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recommended for grant of leave together with escort. In the light of these observations, as well as the reasons assigned in the affidavit filed in support of this petition, we are inclined to grant 21 days of ordinary leave to the petitioner's husband/convict prisoner without escort.

5. Accordingly, the impugned order dated 19.12.2024 bearing No.450290/Thaku.2/2024 passed by the third respondent, is hereby quashed. Consequently there shall be a direction to the respondents herein, to grant 21 days ordinary leave “**without escort**” to the petitioner's husband/convict prisoner namely George, S/o. Sebastian, aged about 41 years, CT.No.8971 (PID No.9904), confined at Central Prison-I, Puzhal, Chennai, commencing from **03.07.2025 to 23.07.2025**, with a condition that the convict shall report before the jurisdictional Police i.e. **P3 Vyasarpadi Police Station, Chennai, daily at 10.30 A.M.** After expiry of the Ordinary Leave, the convict shall surrender before the Jail Authority on **23.07.2025 before 05.30 P.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.



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6. With the above direction, the Writ Petition stands allowed.

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Connected miscellaneous petition is closed. No costs.

(M.S.R., J)

(V.L.N., J)

27.06.2025

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Index : Yes / No

Internet : Yes / No

Neutral Citation : Yes / No

NOTE : Issue order copy on 02.07.2025.

To

1. The Home Secretary,
Home Department (Prison),
Secretariat, Fort St. George,
Chennai – 600 009.
2. The Inspector General of Prisons,
Prison Head Quarters,
Egmore, Chennai – 600 008.
3. The Superintendent of Prison,
Central Prison I,
Puzhal, Chennai – 600 066.
4. The Inspector of Police,
P3 Vyasarpadi Police Station, Chennai.
5. The Public Prosecutor,
High Court, Madras.



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M.S.RAMESH, J.
and

V.LAKSHMINARAYANAN, J.

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