



W.P.No.15407 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.15407 of 2025

Shabeera Fathima

... Petitioner

Vs.

The State represented by its,
1.The Deputy Inspector General of Prison,
Coimbatore Range,
Coimbatore Central Prison,
Coimbatore – 641 018.

2.The Superintendent,
Coimbatore Central Prison,
Coimbatore – 641 018.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the respondents to grant ordinary leave of 30 days without escort to the detenu namely Kadhar Moidheen, S/o.Mohamed Hasan, aged about 61 years, Convict No.113811, detained at Central Prison, Coimbatore.



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For Petitioner : Ms.K.Akshaya

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

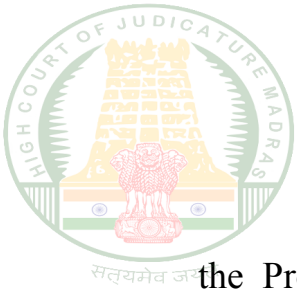
ORDER

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

This Writ Petition has been filed by the petitioner/wife seeking 30 days ordinary leave for her husband/convict prisoner. She has also given a representation dated 22.03.2025 in this regard. Since the said representation has not been considered till date, she has filed the present Writ Petition.

2. The learned counsel for the petitioner submitted that the petitioner requires the presence of her husband/convict prisoner to sell or mortgage their house in order to meet their financial needs and hence, the petitioner sought for an ordinary leave for her husband. The learned counsel further submitted that the convict prisoner has undergone 6 years of imprisonment.

3. The learned Additional Public Prosecutor has produced the proforma of the convict prisoner dated 19.06.2025, as well as the report of



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the Probation Officer dated 20.04.2025. The Probation Officer in his report has objected to grant leave to the convict prisoner and stated that if the convict prisoner comes out on leave, there is a possibility of him running away.

4. Though the Probation Officer has not recommended to grant leave to the convict prisoner, considering the fact that the convict prisoner has undergone more than 6 years of imprisonment, we are inclined to grant 28 days of ordinary leave to the petitioner's husband/convict prisoner, by invoking our powers under Article 226 of the Constitution of India.

5. Accordingly, the petitioner's husband/convict prisoner namely Kadhar Moidheen, S/o.Mohamed Hasan, aged about 61 years, Convict No.113811, presently detained at Central Prison, Coimbatore, is granted 28 days ordinary leave **“without escort”**, commencing from **03.07.2025 to 30.07.2025**, with a condition that the convict prisoner shall report before the jurisdictional Police i.e. Tiruppur North Police Station, Tiruppur, **daily at 10.30 A.M.** After expiry of the Ordinary Leave, the convict prisoner shall surrender before the Jail Authority on **30.07.2025** before **05.30 P.M.**



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The prisoner shall utilize the leave only for the purpose for which it has been granted and shall not indulge in any other activities.

6. With the above directions, this Writ Petition stands allowed. No costs.

[M.S.R, J.]

[V.L.N, J.]

27.06.2025

Index: Yes/No

Speaking order/Non-speaking order

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Note: Issue Order Copy on 02.07.2025.



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To

1.The Deputy Inspector General of Prison,
Coimbatore Range,
Coimbatore Central Prison,
Coimbatore – 641 018.

2.The Superintendent,
Coimbatore Central Prison,
Coimbatore – 641 018.

3.The Inspector of Police,
Tiruppur North Police Station,
Tiruppur.

4.The Public Prosecutor,
High Court, Madras.



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