



W.P.No.15313 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH
AND
THE HONOURABLE MR. JUSTICE V.LAKSHMINARAYANAN

W.P.No.15313 of 2025
and W.M.P.No.17305 of 2025

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...Petitioner/ wife of the detainee

Vs.

1. The State Represented By
The Secretary To Government Of
Tamilnadu, Home Department,
Fort St George, Chennai

2.The Deputy Inspector General
Prison,
Salem Central Prison,
Salem 636 007.

3.The Superintendent
Salem Central Prison,
Salem 636 007.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, to call for records pertaining to the impugned order bearing No.3464/R3/2025 dated 31.03.2025 passed by the 3rd respondent and quash the same



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and consecutively, direct the respondents to grant ordinary leave for 30 days, without escort to the detainee Deepak @ Ram Deepak, S/o. Madheshwaran, aged 36 years, convict No. 9774, detained at central prison, Salem.

For Petitioner : Ms.K.Akshaya
For Respondent : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

M.S.RAMESH, J.
and
V.LAKSHMINARAYANAN, J.

This writ petition has been filed to call for records pertaining to the impugned order bearing No.3464/R3/2025 dated 31.03.2025 passed by the 3rd respondent and quash the same and consecutively, direct the respondents to grant ordinary leave for 30 days, without escort to the detainee Deepak @ Ram Deepak, S/o. Madheshwaran, aged 36 years, convict No. 9774, detained at central prison, Salem.

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



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3. The petitioner herein seeks for grant of 30 days of ordinary leave for her husband, without escort, on the ground that the petitioner has certain medical ailments. Due to financial constraints, she could not avail basic medications. As such, she requires the presence of her husband to arrange funds for her medical expenses. Further, the detainee has undergone 8 months and 15 days of imprisonment.

4. The learned Additional Public Prosecutor produced a copy of the Probation Officer's report dated 19.06.2025, in which, the Probation Officer has recommended for grant of leave as the reasons assigned by the petitioner is said to be true.

5. Although the convict prisoner is not eligible for leave as per the Tamil Nadu Suspension of Sentence Rule 1982, considering the medical requirement of the petitioner, 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, with minimum escort.



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6. Accordingly, the impugned Order bearing No.3464/R3/2025 dated 31.03.2025 is quashed and the detenue viz., Deepak @ Ram Deepak, S/o. Madheshwaran, aged 36 years, convict No. 9774, detained at central prison, Salem, is hereby granted emergency leave for a period of 6 days, with minimum escort, commencing from 10.00 am on 11.07.2025 to 5 pm of 16.07.2025. On expiry of the leave, the detenu shall surrender before the prison authorities. The third respondent is directed to provide minimum escort of two police constables to the convict from the Central Prison from the time he leaves the prison and till such time he is taken back to the prison.

7. Accordingly, the Writ Petition stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

[M.S.R., J] [V.L.N., J]

04.07.2025

Index: Yes/No

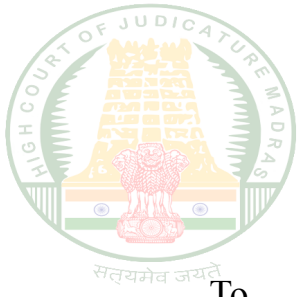
Speaking/Non-speaking order

Neutral Citation: Yes/No

Anu

Note: Issue Order Copy on 10.07.2025

Upload the order copy forthwith



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1. The State Represented By
The Secretary To Government Of
Tamilnadu, Home Department,
Fort St George, Chennai

2.The Deputy Inspector General
Prison,
Salem Central Prison,
Salem 636 007.

3.The Superintendent
Salem Central Prison,
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4.The Public Prosecutor,
High Court, Madras.



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