



W.P.No.18404 of 2025

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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.18404 of 2025
and W.M.P.No.20606 of 2025

Seenivasan

... Petitioner

Vs.

1.The State represented by its
The Deputy Inspector General of Prison
Gandhi Irwin Road, Egmore
Chennai 600 008

2.The Superintendent
Puzhal Central Prison
Puzhal 600 066

... 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 connected with impugned order dated 23.04.2025 passed by the second respondent and quash the same and directing the respondents to grant ordinary leave for 28 days without escort to the detenu, Appu @ Rajendran, S/o.Seenivasan, aged about 34 years, bearing Convict No.6817 (PID No.52970) confined at Central Prison-I, Puzhal.

For Petitioner : Ms.S.Sadhana



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For Respondents

: Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

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

This Writ Petition has been filed for issuance of Writ of Certiorarified Mandamus, to call for records connected with impugned order dated 23.04.2025 passed by the second respondent and quash the same and directing the respondents to grant ordinary leave for 28 days without escort to the detenu, Appu @ Rajendran, S/o.Seenivasan, aged about 34 years, bearing Convict No.6817 (PID No.52970) confined at Central Prison-I, Puzhal.

2. Learned counsel for the petitioner submitted that the 2nd respondent vide impugned order 23.04.2025 had rejected the petitioner's representation dated 22.04.2025, seeking for grant of 28 days ordinary leave to his son, on the ground that the subsequent spell of ordinary leave will only be granted after the completion of one year of imprisonment



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from the date on which the convict prisoner returns from the last ordinary leave. The petitioner is having many age related ailments like diabetics, high blood pressure and kidney problem also. The petitioner's daughter who has come to their house for her first delivery is also expecting her brother's presence. Hence, the petitioner seeks 28 days ordinary leave to his son to make financial arrangements for his medical treatment and also for the delivery of his sister.

3. Learned Additional Public Prosecutor has produced a report of the Probation Officer dated 21.05.2025, in which it is stated that 28 days of ordinary leave was granted to the petitioner's son without escort from 23.05.2024 to 21.06.2024 and he is not eligible for ordinary leave as per Rule 22(3) of Tamil Nadu Suspension of Sentence Rules, 1982 as amended in G.O.Ms.No.205, Home (Prison-V) Department, dated 25.04.2022.

4. Since the first spell of ordinary leave granted to the prisoner got expired on 21.06.2025, and the Probation Officer has also in his report stated that the reasons assigned in the representation for seeking leave is genuine, this Court is inclined to allow this petition.



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5.This Writ Petition stands allowed accordingly. The impugned proceedings of the 2nd respondent dated 23.04.2025 is hereby set aside. Consequently, there shall be a direction to the respondents herein, to grant 28 days ordinary leave “*without escort*” to the life convict viz. Appu @ Rajendran, S/o.Seenivasan, Convict No.6817 (PID No.52970), commencing from 11.07.2025 to 07.08.2025, with a condition that the life convict shall report before the jurisdictional Police i.e. L & O North Police Station, Vellore, daily at 10.30 a.m. After expiry of the Ordinary Leave, the life convict shall surrender before the Jail Authority on 08.08.2025 before 10.00 a.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. No costs. Consequently, the connected miscellaneous petition is closed.

[M.S.R, J.]

[V.L.N, J.]

04.07.2025

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Note: Issue Order Copy on 10.07.2025

To

1.The Deputy Inspector General of Prison
Gandhi Irwin Road, Egmore
Chennai 600 008



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2.The Superintendent
Puzhal Central Prison
Puzhal 600 066

3.The Public Prosecutor
High Court of Madras
Chennai



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