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W.P.No.18812 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.18812 of 2025
and W.M.P.No.21062 of 2025

Mariyammal

... 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 - I
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 06.05.2025 passed by the second respondent and quash the same and directing the respondents to grant ordinary leave for 40 days without escort to the detenu, Seevalaperiyan, S/o.Rajendran, aged about 36 years, bearing Convict No. PID 29132 confined at Central Prison, Puzhal-I.



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For Petitioner : Ms.S.Sadhana
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 06.05.2025 passed by the second respondent and quash the same and directing the respondents to grant ordinary leave for 40 days without escort to the detenu, Seevalaperiyan, S/o.Rajendran, aged about 36 years, bearing Convict No. PID 29132 confined at Central Prison, Puzhal-I.

2. Learned counsel for the petitioner submitted that the 2nd respondent vide impugned order 06.05.2025 had rejected the petitioner's representation dated 05.04.2025, on the ground that the prisoner is not eligible for ordinary leave as he is having a case pending trial against him, as per Rule No.35 of Tamil Nadu Suspension of Sentence Rules 1982. The petitioner further submitted that all her children got married



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and settled down separately, and that the petitioner is living all alone with a very poor house, which has to be renovated and only her second son, who is not married and in prison can help her out to get finance for the renovation.

3. Learned Additional Public Prosecutor has produced a report of the Probation Officer dated 27.05.2025. The report says that the reason assigned in the representation dated 05.04.2025 is genuine. The petitioner's house is in very bad condition. He has also stated that there is no law and order threat in the locality if the prisoner is released on leave.

4. Considering the report of the Probation Officer, this Court is inclined to allow this petition.

5. This Writ Petition stands allowed accordingly. The impugned proceedings of the 2nd respondent dated 06.05.2025 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, bearing Convict No. PID 29132 confined at Central Prison, Puzhal-I,



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commencing from 11.07.2025 to 07.08.2025, with a condition that the life convict shall report before the jurisdictional Police i.e. Suthamali Police Station, Tirunelveli, 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

kas

Index: Yes / No

Neutral Citation

Speaking / Non Speaking

Note: Issue Order Copy on 10.07.2025

To

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

2.The Superintendent
Puzhal Central Prison- I
Puzhal 600 066

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3. The Public Prosecutor
High Court of Madras
Chennai



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