



W.P.No.18951 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.18951 of 2025

and

W.M.P.No.21240 of 2025

R.Saraswathy

.. Petitioner

Vs.

The State rep by its,
The Superintendent of Prison,
Central Prison at Salem,
Hasthampatti,
Salem – 636 007.

.. Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records pertaining with an impugned order in No.5812/tha.ku.4/2025 dated 13.05.2025 passed by the respondent and quash the same and consequently direct the respondent to grant 28 days leave without escort to the husband of the petitioner / convict namely D.Radha Krishnan, S/o.Duraisamy, Life Convict Prisoner, (PID No.34149) aged about 53 years.



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For Petitioner : Mr.M.Mohamed Saifulla
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 13.05.2025 of the respondent rejecting the representation of the petitioner seeking grant of ordinary leave to her husband / life convict.

2.The learned counsel for the petitioner submitted that the life convict has undergone more than 10 years of imprisonment and therefore sought for grant of ordinary leave.

3.The learned Additional Public Prosecutor has produced the particulars of the life convict dated 02.06.2025, which states that the life convict is not eligible for grant of ordinary leave under the Tamil Nadu Suspension of Sentence Rules, 1982. Further, the learned Additional Public Prosecutor has also produced a report of the Probation Officer dated 27.05.2025, which states that the reason assigned by the petitioner



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seeking leave for her husband / life convict is genuine and hence, he has recommended for grant of leave.

4.By taking into consideration the report of the Probation Officer, recommending for grant of leave, as well as the reasons assigned in the affidavit filed in support of this petition, we are inclined to grant 3 days of ordinary leave to the petitioner's husband/life convict.

5.Accordingly, the impugned order dated 13.05.2025 passed by the respondent, is hereby quashed. Consequently there shall be a direction to the respondent herein, to grant 3 days ordinary leave **“without escort”** to the petitioner's husband/life convict namely Radha @ Radhakrishnan, S/o.Duraisamy, aged 50 years, Convict ENR CT 631, (PID No.34149), confined at Central Prison, Salem, commencing from **11.07.2025 to 13.07.2025**, with a condition that the life convict shall report before the jurisdictional Police i.e. Tambampatti Police Station, Salem District, daily at 10.30 A.M. After expiry of the Ordinary Leave, the life convict shall surrender before the Jail Authority on **13.07.2025 before 05.30 P.M.** The prisoner shall utilize the leave only for the purpose for which it



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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.

Connected miscellaneous petition is closed. No costs.

(M.S.R., J)

(V.L.N., J)

04.07.2025

krk

Index : Yes / No

Internet : Yes / No

Neutral Citation : Yes / No

NOTE : Issue order copy on 10.07.2025.

To

1.The State rep by its,
The Superintendent of Prison,
Central Prison at Salem,
Hasthampatti, Salem – 636 007.

2.The Public Prosecutor,
High Court, Madras.



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and

V.LAKSHMINARAYANAN, J.

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