



W.P.No.18 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.Crl.No.18 of 2025
and W.P.M.P.Crl.No.8 of 2025

Akashsharma

...Petitioner/ son of the detenue

Vs.

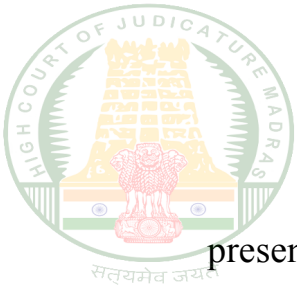
1. Home Secretary , Home
Department (prison)
Secretariat, Fort St.George,
Chennai-600 009

2.The Deputy Inspector General of
prison
Vellore, Vellore District

3.The Superintendent of Prison
Vellore Central Prison, Vellore
District

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, calling for the records relating to the proceedings of the 3rd respondent in No.E45418Thaku.3/2024 dated 10.12.2024 and quash the same and direct the third respondent to grant 28 days ordinary leave, without escort to the petitioner's father Rajeshsharma, S/o.Anthusharma, who is



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presently confined in Central prison, Vellore bearing Convict No.3289
PID No.101011.

For Petitioner : Mr.P.M.Basil
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 the records relating to the proceedings of the 3rd respondent in No.E45418Thaku.3/2024 dated 10.12.2024 and quash the same and to direct the third respondent to grant 28 days ordinary leave, without escort to the petitioner's father Rajeshsharma, S/o.Anthusharma, who is presently confined in Central prison, Vellore bearing Convict No.3289 PID No.101011.

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

3. The petitioner herein seeks for grant of 28 days of ordinary leave for his father, without escort, on the ground that the petitioner's



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mother has certain medical ailments and requires the presence of her husband to arrange funds for her medical expenses and to make arrangements for the livelihood of their family. Further, the detainee has undergone 7 years, 6 months and 3 days of imprisonment.

4.The learned Additional Public Prosecutor produced a copy of the Probation Officer's report dated 13.06.2025, in which, the Probation Officer has not recommended for grant of leave as the reasons assigned by the petitioner is said to be untrue.

5. Although the Probation Officer has not recommended for grant of leave, considering the fact that the convict prisoner has not availed leave so far, we are inclined to grant emergency leave for a period of 3 days in exercise of our powers under Article 226 of the Constitution of India, with minimum escort.

6. Accordingly, the impugned Order bearing No.E45418Thaku.3/2024 dated 10.12.2024 is quashed and the detainee viz., Rajeshsharma, S/o.Anthusharma, bearing Convict No.3289 PID



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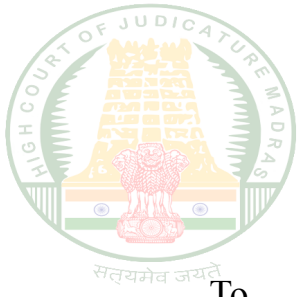
No.101011, confined at Central prison, Vellore, is hereby granted emergency leave for a period of 3 days, with minimum escort, commencing from 10.00 am on 11.07.2025 to 5 pm of 13.07.2025. On expiry of the leave, the detenu shall surrender before the prison authorities. The third respondent is directed 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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To
WEB COPY

1. Home Secretary , Home
Department (prison)
Secretariat, Fort St.George,
Chennai-600 009
- 2.The Deputy Inspector General of
prison
Vellore, Vellore District
- 3.The Superintendent of Prison
Vellore Central Prison, Vellore
District
- 4.The Public Prosecutor,
High Court, Madras.



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and
V.LAKSHMINARAYANAN, J.

Anu

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and W.P.M.P.Crl.No.8 of 2025

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