



WEB COPY



W.P.Crl.No.31 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.08.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

AND

THE HONOURABLE MR. JUSTICE V. LAKSHMINARAYANAN

W.P.Crl.No.31 of 2025
and W.P.M.P.Crl.No.16 of 2025

Balasubramani

... Petitioner

Vs.

1.The Home Secretary,
Home Department (Prison),
Secretariat, Fort St.George,
Chennai – 600 009.

2.The Deputy Inspector General of Prison,
Coimbatore Zone,
Coimbatore.

3.The Superintendent of Prison,
Central Prison,
Salem.

... 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 in No.218/Thau 2/2024 by the 2nd respondent dated 20.02.2025 and quash the same and direct the 2nd



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respondent to grant 28 days ordinary leave without escort to the petitioner namely Balasubramani, S/o.Perumal (PID No.32136), who is presently lodged in Central Prison, Salem.

For Petitioner : Mr.P.M.Basil

For Respondents : Mr.E.Raj Thilak,
Additional Public Prosecutor

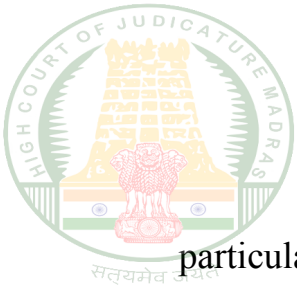
ORDER

(Order of the Court was made by *M.S.RAMESH, J.*)

This Writ Petition has been filed challenging the impugned order dated 20.02.2025, rejecting the representation of the petitioner, seeking ordinary leave, on the ground that the reason stated for availing leave is not true.

2. The learned counsel for the petitioner submitted that the petitioner who is the life convict has sought for an ordinary leave to repair his house. The learned counsel further submitted that the petitioner/life convict has undergone more than 9 years of imprisonment and he has not availed any leave so far.

3. The learned Additional Public Prosecutor has produced the



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particulars of the life convict dated 30.07.2025, as well as the report of the Probation Officer dated 30.07.2025. The Probation Officer in his report has stated that the reason assigned by the petitioner/life convict for seeking leave is not true and hence, he has not recommended for grant of leave.

4. Though the Probation Officer has not recommended to grant leave to the life convict, by taking into consideration the fact that the life convict has not availed any leave during his 9 years of imprisonment, we are inclined to grant 6 days of emergency leave to the petitioner/life convict, by invoking our powers under Article 226 of the Constitution of India.

5. Accordingly, the impugned order No.218/Thau 2/2024 dated 20.02.2025, passed by the 2nd respondent, is hereby quashed and the Writ Petition stands allowed. Consequently, the respondents herein are directed to grant 6 days of Emergency Leave **“without escort”** to the petitioner/life convict namely Balasubramani, S/o.Perumal, PID No.32136, presently confined in Central Prison, Salem, commencing from **15.08.2025 to 20.08.2025**, with a condition that the life convict shall report before the jurisdictional Police i.e. Thevoor Police Station, Salem, **daily at 10.30 A.M.** After expiry of the Emergency Leave, the life convict shall surrender before



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the Jail Authority on **20.08.2025** before **05.30 P.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. Connected miscellaneous petition is closed.

[M.S.R, J.]

[V.L.N, J.]

08.08.2025

Index: Yes/No

Speaking order/Non-speaking order

Sni

Note: Issue Order Copy on 14.08.2025.



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To

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Home Department (Prison),
Secretariat, Fort St.George,
Chennai – 600 009.
- 2.The Deputy Inspector General of Prison,
Coimbatore Zone,
Coimbatore.
- 3.The Superintendent of Prison,
Central Prison,
Salem.
- 4.The Inspector of Police,
Thevoor Police Station,
Salem.
- 5.The Public Prosecutor,
High Court, Madras.



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