



W.P.Crl.No.89 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.Crl.No.89 of 2025

and

W.P.M.P.Crl.No.47 of 2025

Abdul Khalith

.. Petitioner

Vs.

The State represented by its,

1.The Deputy Inspector of General of Prison,
Vellore Range,
Vellore Central Prison,
Vellore – 632 002.

2.The Superintendent,
Vellore Women Special Prison,
Vellore – 632 002.

.. Respondents

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 to the Impugned Order bearing No.215202/Thaku2/2025, dated 14.05.2025, passed by the 2nd respondent and quash the same and consecutively direct the respondents to grant



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ordinary leave for 30 days without escort to the detenue, Hasina Jan, W/o.Abdul Rasheeth, aged about 70 years, PID.No.471187 confined at Central Prison, Vellore.

For Petitioner : Mr.S.Manoharan

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

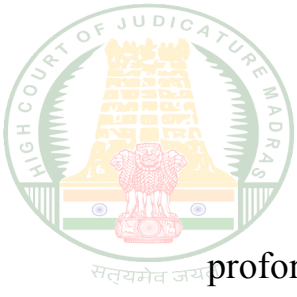
ORDER

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

This Writ Petition has been filed challenging the impugned order dated 14.05.2025 of the 2nd respondent rejecting the representation of the petitioner seeking grant of ordinary leave to his mother / convict prisoner, on the ground that the Probation Officer in her report has stated that there are no medical records of the convict prisoner is available with the petitioner.

2.The learned counsel for the petitioner submitted that the convict prisoner is suffering from age related ailments and she has undergone more than 3 years of imprisonment and therefore sought for grant of ordinary leave.

3.The learned Additional Public Prosecutor has produced the



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proforma of the convict prisoner dated 19.06.2025, which states that the convict prisoner is eligible for 21 days leave. The learned Additional Public Prosecutor has also produced a report of the Probation Officer dated 16.04.2025, which states that petitioner is not having any medical records regarding the convict prisoner's health condition and hence, she has not recommended for grant of leave.

4.Though the PO has not recommended for grant of leave to the convict prisoner, by taking into consideration the fact that the convict prisoner has not availed any leave so far during her period of more than three years of imprisonment, we are inclined to grant 21 days of ordinary leave to the petitioner's mother/convict prisoner, by invoking our powers under Article 226 of the Constitution of India.

5.Accordingly, the impugned order dated 14.05.2025, bearing No.215202/Thaku2/2025, passed by the 2nd respondent, is hereby quashed. Consequently there shall be a direction to the respondents herein, to grant 21 days ordinary leave **“without escort”** to the petitioner's mother/convict prisoner namely Hasina Janu, W/o.Abdul



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Raseeth, aged 65 years, PID No.471187, confined at Vellore Women Special Prison, Vellore, commencing from **11.07.2025 to 31.07.2025**, with a condition that the convict prisoner shall report before the jurisdictional Police i.e. Krishnagiri Town Police Station, Krishnagiri, daily at 10.30 A.M. After expiry of the Ordinary Leave, the convict prisoner shall surrender before the Jail Authority on **31.07.2025 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.

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

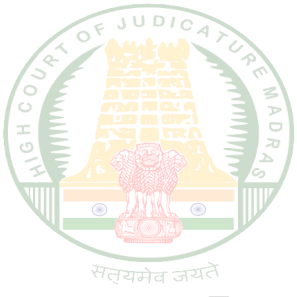
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Index : Yes / No

Internet : Yes / No

Neutral Citation : Yes / No

NOTE : Issue order copy on 10.07.2025.



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To

- 1.The State represented by its,
The Deputy Inspector of General of Prison,
Vellore Range,
Vellore Central Prison,
Vellore – 632 002.
- 2.The Superintendent,
Vellore Women Special Prison,
Vellore – 632 002.
- 3.The Public Prosecutor,
High Court, Madras.

M.S.RAMESH, J.



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and

V.LAKSHMINARAYANAN, J.

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