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W.P.(CrI.) No.138 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.10.2025

C O R A M

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

AND

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.CrI.No.138 of 2025

S.Chithra

... Petitioner/Wife of the Detenue

-VS-

1. The State Rep. by its

The Deputy Inspector General of Prison,
Gandhi Irvin Road, Egmore,
Chennai-600 008.

2. The Superintendent,

Puzhal Central Prison-I,
Puzhal-600 066.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus to call for the records connected with impugned order dated 03.06.2025 passed by the 2nd respondent, quash the same and directing the respondents to grant ordinary leave for 28 days without escort to the detenue, Raji @ Srinivasan, S/o.Mani, aged about 34 years bearing Convict No.6882 (PID 57519) confined at Central Prison-I, Puzhal.

For Petitioner : M/s.S.Sadhana

For Respondents : Mr.A.Gokulakrishnan

Addl. Public Prosecutor



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ORDER

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(By J.Nisha Banu,J.)

This Writ Petition has been filed, challenging the impugned order dated 03.06.2025 of the 2nd respondent, whereby the request of the petitioner for grant of Ordinary Leave to the Convict Prisoner was rejected, on the ground that he has not completed the period of one year from the date of leave availed previously.

2. Learned counsel for the petitioner submitted that the detenue / Convict Prisoner has been undergoing incarceration for the last 8 years and after his conviction, the petitioner, who is the wife of the Convict has been taking care of the parents of the detenue / Convict with the meagre salary being earned by her. The Convict had submitted a representation dated 29.05.2025 to the Prison Authorities for grant of 28 years Ordinary Leave to him, so as to enable him to attend the Ear Piercing Ceremony of his sons and the said representation submitted by the detenue was not considered favourably by the 2nd respondent. Aggrieved by the same, the petitioner / wife is before this Court.



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3. Learned Additional Public Prosecutor, by referring to Sl.Nos.8 and 9 of the report of Probation Officer, contended that after availing the leave of 28, the Convict returned to the Prison in the month of May, 2024 and thereafter, he went on leave for 10 days and surrendered on 06.03.2025. He further contended that he has not completed the mandate period of one year to avail Ordinary Leave between two spells. Hence, he objected to the grant of parole to the Convict.

4. It is seen that the Convict Prisoner was granted Ordinary Leave by this Court on earlier occasions. According to the petitioner, her husband has to arrange for funds for their children's education, coupled with the fact that the mother of the Convict requires treatment for cancer, for which his presence is necessary. By taking into consideration the overall factual scenario as well as the fact that the Convict Prisoner availed leave previously and there was no bad antecedent reported during his leave, we are inclined to grant 14 days of leave to the convict prisoner.

5. Accordingly, the respondents are directed to grant 14 days



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Leave 'without escort' to the Convict Prisoner, namely, Raji @ Srinivasan, S/o.Mani, Convict No.6882 (PID 57519), commencing from **16.10.2025 to 29.10.2025**, subject to the usual / other conditions that may be imposed by the respondents. The Convict Prisoner shall report before **Somangalam Police Station, Kancheepuram** daily at 10.30am. After expiry of the Ordinary Leave, the convict prisoner shall surrender before the Jail Authority on **30.10.2025 on or before 10.00am**. 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. Accordingly, this Writ Petition is allowed, by setting aside the impugned order of the 2nd respondent dated 03.06.2025. No costs.

(J.N.B.J.) (S.S.J.)
13.10.2025

Index: Yes / No
Internet: Yes / No
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Note: Issue order copy on 14.10.2025



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To:

1. The Deputy Inspector General of Prison,
Gandhi Irvin Road, Egmore,
Chennai-600 008.
2. The Superintendent,
Puzhal Central Prison-I,
Puzhal-600 066.
3. The Inspector of Police,
Somangalam Police Station,
Kancheepuram District.
4. The Public Prosecutor,
High Court, Madras.

J.NISHA BANU, J.



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