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WP CrI. No. 308 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-09-2025

CORAM

**THE HONOURABLE MRS JUSTICE J. NISHA BANU
AND
THE HONOURABLE MR.JUSTICE S. SOUNTHAR**

**W.P.CrI. No. 308 of 2025
and W.P.M.P.CrI.No.133 of 2025**

1. S.Deepa

W/o.Suresh, Door No.2/566, Vaniyar
Street, R.K.Pet Post, Thiruvallur
District, Pin - 631 303.

Appellant(s)

Vs

1. The Deputy Inspector General of
Prisons
Chennai Range, Prison Head Quarters,
Whannels Road, Egmore,
Chennai - 600 008.

2.The Superintendent of Prison
Central Prison-1, Puzhal,
Chennai - 600 066.

Respondent(s)



PRAYER

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The present Writ Petition has been filed under Article 226 of the Constitution of India for the issuance of a Writ of Certiorarified Mandamus to call for the records No.NIL dated 21.06.2025 passed by respondent No.2, and quash the same and consequently direct the respondents to grant 21 days ordinary leave to the petitioners husband namely Suresh S/o.Raman, aged 38 years, CT.No.9113, (PID 436310) now confined in the Central Prison-1, Puzhal, Chennai-36.

For Appellant(s): Mr. P. Pugalenthir

For Respondent(s): Mr. A. Gokulakrishnan
Additional Public Prosecutor

ORDER

J. NISHA BANU, J.

and

S. SOUNTHAR, J.

This Writ Petition has been filed to direct the respondents to grant ordinary leave of 21 days to the convict, Suresh, S/o. Raman, aged about 38 years, Convict No.9113 (PID : 436310), confined at Central Prison, Puzhal.

2. The petitioner herein seeks for grant of 21 days of ordinary leave for her husband on the ground that the mother of the convict has certain medical ailments and she requires the presence of her son for arranging funds for the treatment and for making arrangements for the livelihood of their family. Further, the convict has undergone 3 years and 17 days of imprisonment.



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3. The learned Additional Public Prosecutor produced a copy of the Probation Officer's report dated 20.08.2025, wherein the Probation Officer has stated that the reasons assigned by the petitioner are found to be true.

4. The learned Additional Public Prosecutor further submitted that the petitioner's husband namely, Suresh, was convicted under Section 392 read with 397 of I.P.C. and therefore, he opposed granting leave to the convict.

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

6. Even though the Additional Public Prosecutor has objected for grant of leave to the petitioner's husband, in exercise of powers under Article 226 of the Constitution of India and keeping in line with the decision of the Hon'ble Supreme Court in '*Dadu alias Tulsidas Vs. State of Maharashtra*' reported in '*(2000) 8 SCC 437*', this Court is inclined to grant leave for a period of 14 days to the convict as this Court is convinced with the reasons stated by the petitioner in the affidavit filed in support of the petition.

7. Accordingly, the impugned order dated 21.06.2025 passed by the second respondent, is hereby quashed. Consequently, the convict viz., Suresh S/o.Raman, aged about 38 years, Convict No.9113 (PID : 436310), confined at



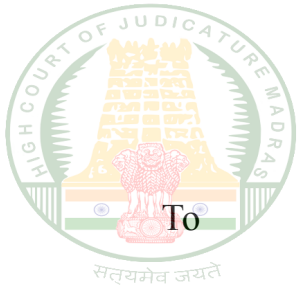
Central Prison-1, Puzhal, Chennai, is hereby granted ordinary leave for a period of 14 days, **without escort**, commencing **from 22.09.2025 to 05.10.2025**. On expiry of the leave, the convict shall surrender before the prison authorities on **06.10.2025 before 10.00 a.m.** During the period of leave, the prisoner shall report before the **Inspector of Police, D4 R.K.PET Police Station, Tiruvallur District daily at 10.00 a.m.** The Convict Prisoner shall utilize the leave only for the ground on which it has been granted and shall not indulge in any other activities.

8. Accordingly, the Writ Petition stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

(J.NISHA BANU J.) (S.SOUNTHAR J.)
16-09-2025

ASI

Note: Issue order copy on or before 19.09.2025.



To

1. The Deputy Inspector General of Prisons
Chennai Range, Prison Head Quarters,
Whannels Road, Egmore,
Chennai - 600 008.

2. The Superintendent of Prison
Central Prison-1, Puzhal,
Chennai - 600 066.

3. The Inspector of Police, D4
R.K.PET Police Station,
Tiruvallur District.

4. The Public Prosecutor,
High Court of Madras, Chennai.



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