



W.P.(Crl.) No.570 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 24.09.2025

C O R A M

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

AND

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.Crl. No.570 of 2025 and

W.P.M.P.Crl.No.270 of 2025

Soniya

... Petitioner

-VS-

1. The 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 is filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus to call for the records relating to the proceedings of the 2nd respondent in No.RO/VLR/421/2025-CAMP(A) dated 05.05.2025 and quash the same and consequently direct the 2nd respondent to grant 28 days ordinary leave without escort to the petitioner's husband Selvamani, S/o.Selvaraj PID.No.310509, who is presently confined at Central Prison, Vellore.



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For Petitioner : Mr.P.M.Basil
For Respondents : Mr.A.Gokulakrishnan
Addl. Public Prosecutor

ORDER

(By J.Nisha Banu,J.)

This Writ Petition has been filed, challenging the proceedings of the 2nd respondent in No.RO/VLR/421/2025-CAMP(A) dated 05.05.2025, whereby the request of the petitioner for grant of Ordinary Leave to the Convict Prisoner was rejected.

2. Learned counsel for the petitioner submitted that the detainee / Convict Prisoner has been undergoing incarceration for about seven years and he had exhibited good conduct during his incarceration in jail. He was also granted leave on earlier occasions for eight times and he never breached any of the conditions imposed at the relevant point of time. Since the detainee has to attend to some urgent family responsibilities, the petitioner, who is the wife of the detainee sent a representation dated 03.02.2025 to the respondents for grant of leave. However, her request was negatived on the ground that the Convict Prisoner is not entitled to leave as per Rule 21 (k) of the Tamil Nadu Suspension of Sentence Rules, 1982,



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owing to a punishment imposed on 06.02.2025. Aggrieved by the same, the petitioner is before this Court.

3. Learned Additional Public Prosecutor has fairly conceded that the Convict is entitled to ordinary leave. He has also produced a copy of the report of the Probation Officer, recommending to grant leave to the Convict.

4. By taking into consideration the report of the Probation Officer, recommending to grant leave to the convict prisoner, as well as the fact that the Convict Prisoner availed leave for eight times earlier and there was no antecedent reported during his leave, we are inclined to grant 21 days of ordinary leave to the convict prisoner.

5. Accordingly, the respondents are directed to grant 21 days Ordinary Leave 'without escort' to the Convict Prisoner, namely, Selvamani, S/o.Selvaraj PID No.310509, commencing from **26.09.2025 to 16.10.2025**, subject to the usual / other conditions that may be imposed by the



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respondents. The Convict Prisoner shall report before the jurisdictional Police, i.e. Vaniyambadi Town Police Station, Vaniyambadi, weekly twice , viz., on every Monday and Friday at 10.30am. After expiry of the Ordinary Leave, the convict prisoner shall surrender before the Jail Authority on **17.10.2025 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 proceedings of the 2nd respondent in No.RO/VLR/421/2025-CAMP(A) dated 05.05.2025. No costs. Consequently, connected Miscellaneous Petition is closed.

(J.N.B.J.) (S.S.J.)
24.09.2025

Index: Yes / No
Internet: Yes / No
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Note: Issue order copy on 25.09.2025



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- To:
1. The 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 Inspector of Police,
Vaniyambadi Town Police Station,
Vaniyambadi.
 5. The Public Prosecutor,
High Court, Madras.

J.NISHA BANU, J.



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