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W.P.(Crl.) No.557 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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.557 of 2025 and

W.P.M.P.Crl.No.266 of 2025

Thimmakkal

... Petitioner/Wife of the detenue

-VS-

The State Rep. by its

1. The Secretary to the Government of Tamil Nadu,
Department of Home, Fort St.George,
Chennai-600 009.

2. The Deputy Inspector General of Prison,
Vellore Range,
Vellore – 632 001.

3. The Superintendent,
Central Prison, Vellore,
Vellore-632 001.

... 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 pertaining to the impugned order bearing No.CP-VLR/1233/2025-R3(ASST) dated 17.07.2025 passed by the 3rd respondent and quash the same and consecutively direct the 3rd respondent to consider the representation of the petitioner and grant ordinary leave for 21 days without



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escort to the detenu Thimmappan, S/o.Rengappan aged about 49 years
Convict Prisoner, bearing Convict No.4141, confined at Central Prison
Vellore.

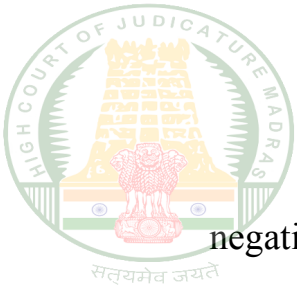
For Petitioner : Mr.P.Bakiyaraj
For Respondents : Mr.A.Gokulakrishnan
Addl. Public Prosecutor

ORDER

(By J.Nisha Banu,J.)

This Writ Petition has been filed, challenging the order bearing
No.CP-VLR/1233/2025-R3(ASST) dated 17.07.2025 passed by the 3rd
respondent, 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 detenu
/ Convict Prisoner has been undergoing incarceration for about three years
and the mother of the detenu has become ill due to kidney problem. Since
the presence of the detenu is very much essential to mobilize funds for the
treatment of his mother as well as for repairing the dwelling house, the
petitioner, who is the wife of the detenu sent a representation dated
05.07.2025 to the respondents for grant of leave. However, her request was



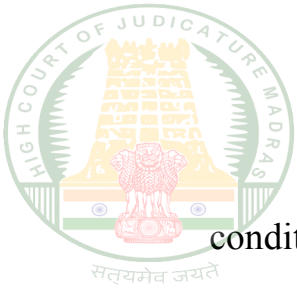
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negatived on the ground that the Convict Prisoner at that time did not complete the requisite period for consideration of leave.

3. Learned Additional Public Prosecutor has fairly conceded that the Convict is entitled to ordinary leave, as he has now completed the period of three years. 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 was granted leave on earlier occasion without escort vide order dated 02.08.2024, 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 Thimmappan, S/o.Rengappan, aged about 49 years, Convict No.4141, commencing from **26.09.2025 to 16.10.2025**, subject to the usual / other



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conditions that may be imposed by the respondents. The Convict Prisoner shall report before the jurisdictional Police, i.e. Mahendramangalam Police Station, Dharmapuri District, weekly thrice, viz., on every Monday, Wednesday 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 order bearing No.CP-VLR/1233/2025-R3(ASST) dated 17.07.2025 passed by the 3rd respondent 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 Secretary to the Government of Tamil Nadu,
Department of Home, Fort St.George,
Chennai-600 009.
 2. The Deputy Inspector General of Prison,
Vellore Range,
Vellore – 632 001.
 3. The Superintendent,
Central Prison, Vellore,
Vellore-632 001.
 4. The Inspector of Police,
Mahendramangalam Police Station,
Dharmapuri District.
 5. The Public Prosecutor,
High Court, Madras.



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