



W.P.No.34697 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

AND

THE HONOURABLE MR. JUSTICE N. SENTHILKUMAR

W.P.No.34697 of 2024
and W.M.P.No.37631 of 2024

Valli

... Petitioner

Vs.

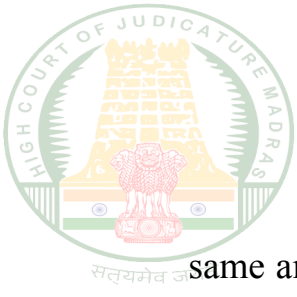
The State rep. by
1.The Secretary to Government of Tamil Nadu,
Department of Home,
Fort St.George,
Chennai – 600 009.

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

3.The Superintendent,
Central Prison Vellore,
Vellore – 630 001.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order bearing No.RO-VLR/604/2024-CAMP(A) dated 08.10.2024 passed by the 2nd respondent and quash the



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same and consequently direct the 2nd respondent to grant ordinary leave for 30 days without escort to the detenu, Suresh Babu, S/o.Selvaraj, aged about 38 years, bearing Convict No.3871 at Central Prison, Vellore.

For Petitioner : Mr.M.Ezhilarasu
For Respondents : Mr.R.Muniyapparaj,
Additional Public Prosecutor
assisted by Mr.M.Sylvester John

ORDER

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

This Writ Petition has been filed challenging the impugned order dated 08.10.2024, rejecting the representation of the petitioner dated 24.06.2024.

2. The only reason assigned in the impugned order for rejecting the petitioner's request for grant of ordinary leave to her son/convict prisoner is that the convict prisoner's life will be in danger if he comes out from jail.

3. The learned counsel for the petitioner submitted that the petitioner has sought for ordinary leave for a period of 30 days for her son/convict



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prisoner since she requires his presence to take care of her and to make livelihood arrangements. The learned counsel further submitted that the convict prisoner has not availed any leave so far.

4. The learned Additional Public Prosecutor has produced the particulars of the life convict dated 06.02.2025, as well as the report of the Probation Officer dated 02.12.2024. The Probation Officer, upon investigation, has not recommended to grant leave to the convict prisoner for the prisoner's safety.

5. Considering the reasons stated by the petitioner for seeking leave for her son/convict prisoner, as well as the fact that the convict prisoner has not availed any leave so far, we are inclined to consider the prayer sought for in this Writ Petition by invoking our powers under Article 226 of the Constitution of India.

6. Accordingly, the impugned order dated 08.10.2024 passed in No.RO-VLR/604/2024-CAMP(A) by the second respondent, is hereby quashed. Consequently there shall be a direction to the respondents herein,



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to grant 10 days ordinary leave **“with minimum escort”** to the petitioner's son/convict prisoner namely Suresh Babu, S/o.Selvaraj, aged about 38 years, bearing Convict No.3871, confined at Central Prison, Vellore, commencing from **25.02.2025 to 06.03.2025**. After expiry of the Ordinary Leave, the convict prisoner shall surrender before the Jail Authority on **06.03.2025** 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.

7. With the above direction, the Writ Petition stands allowed. No costs. Connected miscellaneous petition is closed.

[M.S.R, J.]

[N.S, J.]

17.02.2025

Index: Yes/No

Speaking order/Non-speaking order

Sni

Note: Issue Order Copy on 24.02.2025.



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To

1.The Secretary to 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 – 630 001.

4.The Public Prosecutor,
High Court, Madras.



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M.S.RAMESH, J.
and
N. SENTHILKUMAR, J.

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