



W.P.No.39902 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH
AND
THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

W.P.No.39902 of 2024

A.Sathishkumar

...Petitioner/ brother of the detenue

Vs.

1.The Home Secretary,
Home Department,
Secretariat, Fort St. George,
Chennai-600 009.

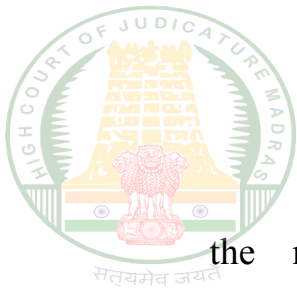
2.The Director General of Police
and Inspector General of Prisons,
Whannels Road, Egmore,
Chennai-600 008.

3.The Deputy Director General of Prison,
O/o.Deputy Director General of Prison,
Vellore Central Prison, Vellore District.

4.The Superintendent of Prison,
Cuddalore Central Prison,
Cuddalore District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India,
praying for the issuance of Writ of Certiorarified Mandamus, to call for



W.P.No.39902 of 2024

the records in proceeding vide No.17756/Tha.Ku.2/2024 dated 19.11.2024 by the fourth respondent and quash the same and further direct the respondents 1 to 3 to grant ordinary leave for 30 days, without escort to the convict prisoner namely Suresh @ Sureshkumar @ Suresh Pani, S/o.Arjunan, CT.No.14927, now confined in Cuddalore Central prison, Cuddalore District, in pursuant to the petitioner's representation dated 16.11.2024.

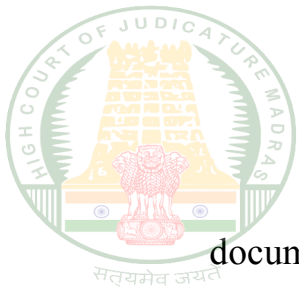
For Petitioner : Mr.P.Muthamizhselvakumar
For Respondent : Mr.R.Muniyapparaj
Additional Public Prosecutor
assisted by Mr.M.Sylvester John

ORDER

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

This writ petition has been filed to call for records and to direct the respondents to grant 30 days of ordinary leave, without escort to the petitioner's brother namely Suresh @ Sureshkumar @ Suresh Pani, S/o.Arjunan, CT.No.14927, now confined in Cuddalore Central prison, Cuddalore District.

2. Heard the learned counsel on either side and perused the



W.P.No.39902 of 2024

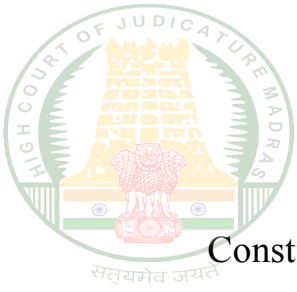
documents.

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3. The petitioner herein seeks for grant of 30 days of ordinary leave for his brother, without escort, on the ground that the family members of the petitioner have decided to arrange marriage for the petitioner's sister, for which the detenue's presence is required to make arrangements for the same. Further, the detenue has undergone 19 years of imprisonment with good conduct and is eligible for premature release as per G.O.Ms.No.488, Home (Prison-IV) Department, dated 15.11.2021.

4.The learned Additional Public Prosecutor produced a copy of the Probation Officer's report dated 07.01.2025, in which, the Probation Officer has recommended for grant of leave since the reasons sought for by the petitioner for grant of leave is true. He would submit that the prisoner is eligible for 28 days of ordinary leave.

5.Considering the fact that the Probation Officer has recommended for grant of leave as the reasons sought for by the petitioner in his representation is true, we are inclined to grant ordinary leave for a period of 28 days in exercise of our powers under Article 226 of the



W.P.No.39902 of 2024

Constitution of India.

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6. Accordingly, the detenue viz., Suresh @ Sureshkumar @ Suresh Pani, S/o.Arjunan, CT.No.14927, now confined in Cuddalore Central prison, Cuddalore District, is hereby granted ordinary leave for a period of 28 days, without escort, commencing from 10.00 am on 10.02.2025 to 5 pm of 09.03.2025. On expiry of the ordinary leave, the detenu shall surrender before the prison authorities. During the period of leave, the prisoner shall report before the Inspector of Police, SS Kottai Police Station, Sivagangai District, daily at 05.00 p.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.

7. Accordingly, the Writ Petition stands allowed. No costs.

[M.S.R., J] [N.S., J]

04.02.2025

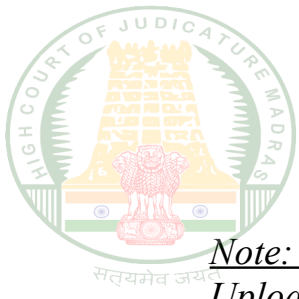
Index: Yes/No

Speaking/Non-speaking order

Internet: Yes/No

Neutral Citation: Yes/No

Anu



W.P.No.39902 of 2024

Note: Issue Order Copy on 07.02.2024

Upload the order copy forthwith

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To

1.The Home Secretary,
Home Department,
Secretariat, Fort St. George,
Chennai-600 009.

2.The Director General of Police
and Inspector General of Prisons,
Whannels Road, Egmore,
Chennai-600 008.

3.The Deputy Director General of Prison,
O/o.Deputy Director General of Prison,
Vellore Central Prison, Vellore District.

4.The Superintendent of Prison,
Cuddalore Central Prison,
Cuddalore District.

5.The Inspector of Police,
SS Kottai Police Station, Sivagangai District

6.The Public Prosecutor,
High Court of Madras



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W.P.No.39902 of 2024

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and
N.SENTHILKUMAR, J.

Anu

W.P.No.39902 of 2024

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