



W.P.No.39416 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

and

THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

W.P.No.39416 of 2024
and W.M.P.No.42681 of 2024

Soniagandhi

... 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 filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, calling for the records relating to the proceedings of the 3rd respondent dated



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09.12.2024 and quash the same and direct the 3rd respondent to grant 6 days emergency leave without escort to the petitioner Vekatesan S/o.Sankar (PID No.132101) confined at Central Prison, Vellore.

For Petitioner : Mr.P.M.Basil
For Respondents : 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 for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the proceedings of the 3rd respondent dated 09.12.2024 and quash the same and direct the 3rd respondent to grant 6 days emergency leave without escort to the petitioner Vekatesan S/o.Sankar (PID No.132101) confined at Central Prison, Vellore.

2. The learned counsel for the petitioner submitted that the petitioner has sent a representation dated 21.11.2024 to the 3rd



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respondent seeking for a grant of 6 days emergency leave to her husband as the convict's mother is critically ill and undergoing treatment for severe heart attack, chest pain and breathing difficulty with low B.P. 70/40 mm of Hg. The same was rejected by the respondents citing the pendency of criminal appeal in Crl.A.No.1119 of 2023.

3. Learned Additional Public Prosecutor has produced a report of the Probation Officer dated 04.01.2025, which is not in favour of the life convict and the Probation Officer has stated that the reason for which the petitioner seeks for a grant of emergency leave for her husband, is not genuine. He has stated that the convict's mother is not in a critical position.

4. Since the reasons assigned by the Probation Officer in his report for rejecting the petitioner's representation are not acceptable, we are inclined to consider the prayer sought for in this Writ Petition.

5. This Writ Petition stands allowed accordingly. The impugned proceedings of the 3rd respondent dated 09.12.2024 is hereby quashed.



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Consequently, there shall be a direction to the respondents herein, to grant 6 days emergency leave ***“without escort”*** to the life convict namely Mr.Venkatesan, S/o.Sankar, aged about 34 years, Life Convict No.4239, commencing from 20.02.2025 to 25.02.2025, with a condition that the life convict shall report before the jurisdictional Police i.e. Mathur Police Station, Krishnagiri District, daily at 10.30 a.m. After expiry of the Ordinary Leave, the life convict shall surrender before the Jail Authority on 26.02.2025 before 10.00 a.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.

6. With the above direction, the Writ Petition stands allowed. No costs. Consequently, the connected miscellaneous petition is closed.

[M.S.R, J.]

[N.S, J.]

06.02.2025

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Note: Issue Order Copy on 18.02.2025



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Chennai 600 009

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Vellore District

3.The Superintendent of Prison
Vellore Central Prison
Vellore District

4.The Public Prosecutor
High Court of Madras
Chennai



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