



WEB COPY



W.P.No.39011 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.01.2025

CORAM :

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE M.JOTHIRAMAN

W.P.No.39011 of 2024

Sasikala

W/o Praveen Kumar

.. Petitioner

v.

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

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings of the 3rd respondent dated 10.12.2024 and quash the same and direct the 3rd respondent to grant 30 days ordinary leave without escort to the prisoner Praveen Kumar, S/o Singaram (PID No.298123) confined at Central Prison, Vellore.



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For Petitioner :: Mr.P.M.Basil

For Respondents :: Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

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

W.M.P.No.42252 of 2024 seeking to dispense with the production of original impugned order stands ordered.

2. The rejection of leave application in proceeding dated 10.12.2024 is under challenge in the present writ petition. The reason assigned in the impugned order is that the prisoner was convicted under Sections 392, 397 read with 34 IPC.

3. The prisoner is in actual imprisonment for about four years. His conduct inside the prison is found to be satisfactory. Though the Probation Officer states that there is an objection from the victim's family, this Court is of the considered opinion that the prisoner is in actual imprisonment for about four years and he is maintaining good conduct inside the prison. Thus



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he need not be denied ordinary leave, which is permissible under the Tamil Nadu Suspension of Sentence Rules. In view of the same, we are inclined to pass the following order:-

- (i) The impugned order passed by the 3rd respondent dated 10.12.2024 is set aside.
- (ii) The prisoner, namely, Praveenkumar, S/o Singaram, Convict No.3848 (PID No.298123), is granted 21 days ordinary leave without escort.
- (iii) The leave shall commence from 25.01.2025 10.30 A.M., and the prisoner shall surrender before the third respondent by 5.30 P.M., on 14.02.2025.
- (iv) The prisoner shall appear before the K.V.Kuppam Police Station, Vellore District twice in week i.e., on every Monday and Thursday at 10.30 A.M. during the period of leave.

The writ petition stands allowed on the above terms. No costs.

Index : yes/no
Neutral citation : yes/no
SS

(S.M.S.,J.) (M.J.R.,J.)
22.01.2025

To

1. The Home Secretary
Home Department (Prison)
Secretariat, Fort St.George
Chennai 600 009



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2. The Deputy Inspector General of Prison
Vellore, Vellore District

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3. The Superintendent of Prison
Vellore Central Prison
Vellore District

4. The Inspector of Police
K.V.Kuppam Police Station
Vellore District

5. The Public Prosecutor
High Court, Madras



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S.M.SUBRAMANIAM,J.

AND

M.JOTHIRAMAN,J.

SS

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