



W.P.No.39727 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.39727 of 2024

Lavanya
W/o V.Senthilkumar .. Petitioner

v.

1. The Government of Tamil Nadu
rep. by its Secretary to Government
Home (Prison IV) Department
Fort St.George, Chennai 600 009
2. The Additional Director General of Prisons
Thalamuthu Natarajan Maaligai
2nd Floor, Gandhi Irwin Road
Egmore, Chennai-8
3. The Superintendent of Central Prison
Vellore-2 .. Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, calling for the records of the 3rd respondent dated Nil.12.2024 made in No.E.530863/Tha.Ku.3/2024 and quash the same and consequently direct the respondents to grant leave to the petitioner's husband V.Senthilkumar, Life Convict No.24027 detained



W.P.No.39727 of 2024

at Central Prison, Vellore without escort for 40 days.
(Prayer amended vide order of Court dated 08.01.2025 in WMP.140/2025 in WP.39727/2024)

For Petitioner :: Mr.D.Krishnamoorthy

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

ORDER

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

The prisoner availed the benefit of ordinary leave for 10 days pursuant to the orders of this Court dated 14.06.2024 in W.P.No.13675 of 2024. Thus the prosecution side objected the present writ petition.

2. The learned counsel for petitioner would submit that the prisoner's sister's daughter's marriage is fixed on 02.02.2025. The marriage invitation has been enclosed in the typedset of papers filed along with the present writ petition. The prisoner is willing to participate in the marriage function to meet the relatives.



W.P.No.39727 of 2024

3. Taking note of the fact that the prisoner has already availed ordinary leave in June, 2024 and considering the fact that the marriage of the prisoner's sister's daughter is scheduled to be held on 02.02.2025, this Court is inclined to pass the following order:-

- (i) The impugned order passed by the third respondent dated 20.12.2024 is set aside.
- (ii) The prisoner, namely, V.Senthilkumar, S/o Kasi Viswanathan, Convict No.24027 is granted six days emergency leave without escort.
- (iii) The leave shall commence from 30.01.2025 10.30 A.M., and the prisoner shall surrender before the third respondent by 5.30 P.M., on 04.02.2025.
- (iv) The prisoner shall appear before the Bagayam Police Station, Vellore District on 01.02.2025 & 03.02.2025 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

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

SS



W.P.No.39727 of 2024

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To

1. The Secretary to Government
Home (Prison IV) Department
Fort St.George
Chennai 600 009
2. The Additional Director General of Prisons
Thalamuthu Natarajan Maaligai
2nd Floor, Gandhi Irwin Road
Egmore
Chennai 600 008
3. The Superintendent of Central Prison
Vellore 632 002
4. The Inspector of Police
Bagayam Police Station
Vellore District
5. The Public Prosecutor
High Court, Madras



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W.P.No.39727 of 2024

S.M.SUBRAMANIAM,J.

AND

M.JOTHIRAMAN,J.

SS

W.P.No.39727 of 2024

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