



W.P.Crl(MD) No.271 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 01.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

AND

THE HONOURABLE MS.JUSTICE R.POORNIMA

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and

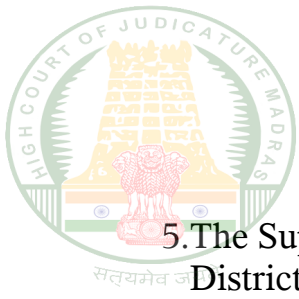
W.M.P(MD)No.70 of 2025

H.Jahaber Sathik

... Petitioner

-Vs-

- 1.The State of Tamil Nadu rep by
its Principal Secretary to Government
Home, Prohibition & Excise (Prison – IV) Department,
Fort St. George, Chennai-600 009.
- 2.The Director General of Prisons,
O/o.Prison Department Headquarters,
Whannels Road,
Egmore,
Chennai-600 008.
- 3.The Deputy Inspector General of Prisons,
Trichy Range,
Race Course Road,
Trichy-620 023
- 4.The Superintendent of Prisons,
Central Prison,
Trichy-620 020



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5. The Superintendent of Police,
District Police Office,
Shivaji Nagar,
Thanjavur-613 001.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the 3rd respondent vide his proceedings in No.RO-TRY? 346/2025-CA, dated 02.06.2025 and quash the same, as illegal and void consequently, grant 21 days ordinary leave to the petitioner Jahaber Sathik, S/o.Haja Allavudeen, aged about 39 years, PID No.321781, Convict Prisoner No. 23731, now confined at Central Prison, Trichy-620 020, forthwith considering the representation dated 17.04.2025.

For Petitioner : Mr.C.Karthikeyan
For Respondents : Mr.S.Ravi,
Additional Public Prosecutor

ORDER

(Order of the Court was made by A.D.JAGADISH CHANDIRA,J.)

The order dated 17.04.2025, passed by the third respondent, rejecting the petitioner's request for grant of 21 days of ordinary leave, is under challenge in this writ petition.

2. The writ petitioner is the convict prisoner and for attending serious illness of his wife and to raise funds for higher education of his children and to



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protect his house being brought for sale he has sought for twenty 21 days ordinary leave.

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3. When the matter is taken up for hearing today, the learned Additional Public Prosecutor appearing for the respondents, on instructions, submitted that the petitioner had sought ordinary leave to prevent his house being attached and though the reasons sought for are true, the local police has not recommended the case of the petitioner stating that his name is maintained in the history sheet by the local police station and thereby, apprehending that he may be indulging any untoward incident, the respondent has rejected the request of the petitioner.

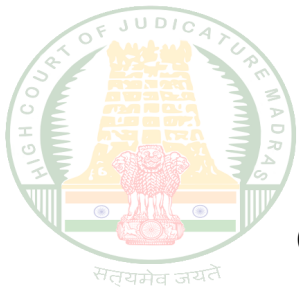
4. In reply, the learned counsel appearing for the petitioner would submit that the petitioner is in confinement of four years and one month. The petitioner had earlier approached the authorities and sought for leave and it was rejected and hence, the petitioner has approached this Court by filing W.P(MD)No.5701 of 2024 and this Court had granted 21 days ordinary leave to the petitioner and the petitioner during that time, had not indulged any illegal activities and thereby, the apprehension of the respondent police is without any basis and hence, he prays for ordinary leave without escort.



5. Recording the submission made on either side and considering the purpose for which the leave sought is for, we are inclined to direct the respondents to grant 21 days ordinary leave to the petitioner/convict prisoner for the reasons stated above, without escort.

6. Accordingly, the writ petition is disposed of with the following directions:

- (i) The respondents are directed to grant 21 days ordinary leave to the petitioner, namely, Jahaber Sathik, S/o.Haja Allavudeen, PID No.321781, Convict Prisoner No.23731, from 04.07.2025 to 24.07.2025. The convict prisoner shall be released from the prison on 03.07.2025 at 05.30 p.m.
- (ii) He shall report back to the Superintendent of Prison, Central Prison, Trichy / fourth respondent, by 25.07.2025 at 10.30 am.,
- (iii) During the leave period, the convict prisoner shall appear before the Thiruvudaimarudhur Police Station, Thanjavur District, everyday at 09.00 a.m., and 06.00 p.m., without fail.
- (iv) The petitioner shall produce all necessary documents, along with a copy of this order, before the jail authorities,



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(v) During the leave period, the convict prisoner shall abide by all the conditions prescribed in the Jail Manual.

(vi) No costs. Consequently, the connected miscellaneous petition is also closed.

7.List the matter on 26.07.2025 “for reporting compliance”.

[A.D.J.C., J.] & [R.P., J.]
01.07.2025

NCC : Yes / No

Index : Yes / No

NS

Note:Issue order copy on 02.07.2025

To

- 1.The State of Tamil Nadu rep by
its Principal Secretary to Government
Home, Prohibition & Excise (Prison – IV) Department,
Fort St. George, Chennai-600 009.
- 2.The Director General of Prisons,
O/o.Prison Department Headquarters,
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A.D.JAGADISH CHANDIRA, J.

AND

R.POORNIMA, J.

Ns

- 5.The Superintendent of Police,
District Police Office,
Shivaji Nagar,
Thanjavur-613 001.
- 6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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