



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-07-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

WP CrI. No. 1019 of 2026

Chinnaponnu
W/o. Annamalai,
No.190-176A12,
Mariyamman Kovil Street,
Ponnagar, Mettur Taluk,
Salem District.

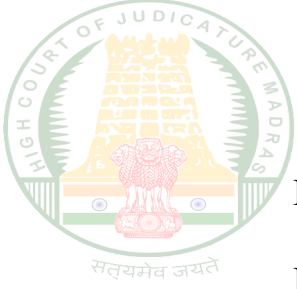
..Petitioner(s)

Vs

1. The State Rep by its
Deputy Inspector General of Prisons,
Egmore, Chennai-600 008.
2. The Deputy Inspector General of Prisons
Coimbatore Range, Coimbatore.
3. The Superintendent of Central Prison
(Conviction), Coimbatore, Coimbatore District.
4. The Superintendent, Central Prison, Salem.
(*suo motu impleaded vide this order*)

..Respondent(s)

Petition filed under Article 226 of the Constitution of India praying to issue a WRIT OF CERTIORIFIED MANDAMUS or any other appropriate writ or order or direction in the nature of writ to call for the records pertaining to the impugned order bearing No.252/MOVU/2026 dated 21-3-2026 passed by the 2nd respondent and quash the same and subsequently directing the respondents to grant 28 days of ordinary leave without escort to my husband Annamalai son of Chinnappan convict No.19602 confined in Central Prison, Coimbatore and pass such further or other orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and thus render justice.



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For Petitioner(s):

Ms.P. Hasnah

For Respondent(s):

Mr.C.R.Malarvannan,
Counsel For Government Of Tamil Nadu
(Criminal Side)

Order

(Order of the Court was made by Dr.Anita Sumanth J.)

The petitioner is the wife of Annamalai (convict), son of Chinnappan, who is confined in Central Prison, Coimbatore. The convict had been sentenced to undergo rigorous imprisonment for 10 years and fine for offences under Section 392 IPC, imprisonment of life for 3 years and fine for offences under Section 302 IPC and rigorous imprisonment for 6 months for an offence under Section 201 IPC. The sentences were ordered to run concurrently.

2. Pending this petition, the petitioner has been transferred from Central Prison, Coimbatore to Central Prison, Salem. We hence suo motu implead the Superintendent, Central Prison, Salem as R4, and Mr.Malarvannan, learned Counsel for Government of Tamil Nadu (Criminal Side) accepts notice for newly impleaded respondent. Registry to correct array.

3. The petitioner had sought ordinary leave of 28 days which has come to be rejected by way of impugned order dated 21.03.2026 on the ground that the request was hit by the bar under Rule 21(b) of the Tamil Nadu Suspension of Sentence Rules, 1982 (in short, 'Rules'). Rule 21 deals with the categories of



convicts who are not eligible for the grant of ordinary leave. Clause (b) of Rule 21 states that prisoners sentenced under Sections 392 to 402 IPC are ineligible for ordinary leave.

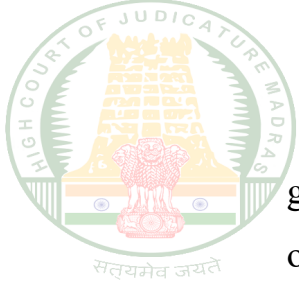
4. When the matter is taken up today, Mr.Malarvannan fairly states that, as on date i.e., 30.07.2026, the convict has completed sentence of 10 years and 17 days. He hence has completed the sentence imposed for offence under Section 392 IPC and with this, there remains no further ineligibility under Rule 21. To be noted that the convict has been granted 28 days ordinary leave from 22.05.2025 to 21.03.2025 by intervention of this Court in WP No. 3646 of 2025 dated 13.02.205.

5. In light of the aforesaid, the impugned order dated 21.03.2026 has no longer any force as on date, and we set aside the same. We direct the authorities to grant 28 days ordinary leave without escort to the convict commencing from 01.08.2026, though with following conditions:

(i) Respondents are directed to release the Convict Prisoner viz., Annamalai, S/o.Chinnappan, confined at Central Prison, Salem on Ordinary Leave for a period of 28 days i.e., from 01.08.2026 to 28.08.2026.

(ii) The Convict Prisoner shall be released on 01.08.2026 at 10.00 am and he shall surrender before the Central Prison, Salem on 29.08.2026 before 10.00 a.m.

(iii) The Convict Prisoner is directed to report before the Inspector of Police, Mettur Police Station, every day between 4.00 p.m., and 05.00 p.m., during the period of leave.



(iv) 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.

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6. This writ petition (criminal) stands allowed in terms of this order. No costs.

(A.S.M.,J.) (S.M.,J.)
30-07-2026

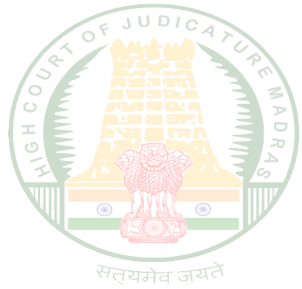
Index: Yes/No
Speaking order
Neutral Citation: Yes

ssm

Note to Registry : Issue copy on or before 31.07.2026

To

1. The Deputy Inspector General of Prisons,
Egmore, Chennai-600 008.
2. The Deputy Inspector General of Prisons
Coimbatore Range, Coimbatore.
3. The Superintendent of Central Prison
(Conviction)
Coimbatore, Coimbatore District.
4. The Superintendent, Central Prison, Salem.
5. The Inspector of Police, Mettur Police Station,
Salem.
6. The Public Prosecutor, High Court, Madras.



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DR.ANITA SUMANTH, J.
AND
SUNDER MOHAN, J.

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