

WP CrI. No. 1330 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-07-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

WP CrI. No. 1330 of 2026

S.Amutha

W/o. Sridhar,

D.No.62/1,

Vempuliamman Kovil Street,

Thiruvallur - 602 001.

..Petitioner(s)

Vs

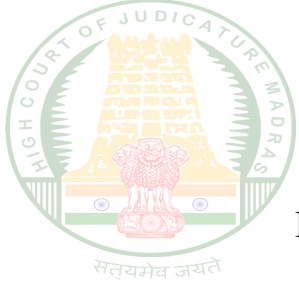
1. The State of Tamilnadu, Rep.by its, Secretary,
Home Department,
Fort St.George, Chennai - 600 009.

2. The Deputy Inspector General of Prison,
Gandhi Irwin Road, Egmore, Chennai - 600
008.

3. The Superintendent,
Puzhal Central Prison-1,
Chennai - 600 066.

..Respondent(s)

Petition filed under Article 226 of the Constitution of India praying to issue a writ or order or orders or direction, particularly in the nature of Writ of Certiorarified Mandamus, to call for the records made in No.40023/Tha.ku.2/2026 dated 03.04.2026 passed by the Superintendent of Central Prison, Puzhal, Chennai - 66, the third respondent herein and quash the same as illegal, and direct the Respondents to grant 30 days Ordinary leave to the Lifer S.Sridhar now confined at Central Prison, Puzhal-1, Chennai - 66 to secure the ends of Justice.



WEB COPY

For Petitioner(s):

Mr.S.Jeevanantham
for Mr.A.Sivakumar

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.)

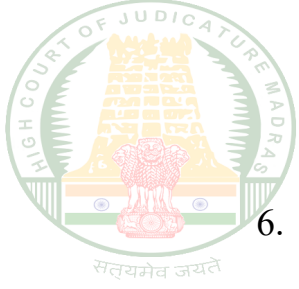
The challenge is to an order dated 03.04.2026 rejecting the request for leave for a lifer S.Sridhar, confined in Central Prison, Puzhal-1, Chennai.

2. The reason for rejection is the bar under Rule 35 of the Tamil Nadu Suspension of Sentence Rules, 1982 (in short, 'Rules').

3. Mr.S.Jeevanantham, learned counsel for Mr.A.Sivakumar, learned counsel for petitioner submits that the convict has been granted leave earlier, there is no reason to deny him the same as the reasons for which leave have been sought are genuine and that the trial of the pending cases are long pending.

4. Mr.C.R.Malarvannan, learned counsel for Government of Tamil Nadu (Criminal Side) fairly submits that the reasons for leave have been found out to be true and there is no adverse comment by the authorities or by the probation officer as far as the convict is concerned.

5. We have heard both learned counsel.



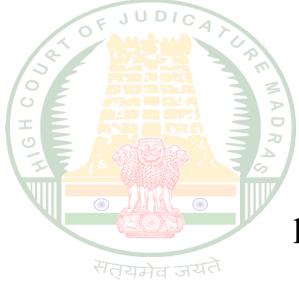
6. It is true that Rule 35 places a bar on the ground of leave by the authorities in matters of pending cases as against the convict. However, such a bar, while a fetter upon the authorities will not stand in our way for granting leave if we find the circumstances otherwise appropriate.

7. In the present case, the convict has been in incarceration since 2019 and has undergone a total sentence of 7 years 9 months and 19 days as on date. He has been granted leave on one occasion only (15 days ordinary leave without escort) and that too at the instance of this Court. The reason for the sparse availment of leave is the bar under Rule 35.

8. However, we find that the case pending against the convict in SC No.179 of 2018 has been on-going for long and we are of the categorical view that unduly delay in the trial cannot stand to the detriment of a convict. Needless to say, a convict cannot be deprived leave endlessly on account of a pending case, that too, which is pending for a prolonged period.

9. In light of the discussion as aforesaid, the convict is granted leave for a period of 28 days without escort commencing from 20.07.2026, though on the following conditions:

- (i) Respondents are directed to release the Convict Prisoner viz., S.Sridhar, S/o.Sundaram, aged 54 years, confined at Central Prison, Puzhal-1, Chennai-66, on Ordinary Leave for a



WEB COPY

period of 28 days i.e., from 20.07.2026 to 16.08.2026.

(ii) The Convict Prisoner shall be released on 20.07.2026 at 10.00 am and he shall surrender before the Central Prison, Puzhal-1, Chennai-66 on 17.08.2026 before 10.00 a.m.

(iii) Since there is a hearing of S.C.No. 179 of 2018 on 03.08.2018 before the II Additional District and Sessions Court, Tiruvallur at Poonamallee, let him be escorted to the hearing on that day. Barring the date of hearing, he shall appear everyday before the Inspector of Police, Tiruvallur Town Police Station between 4.00 and 5.00 pm, 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.

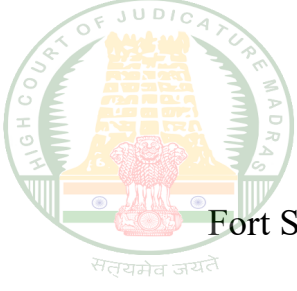
10. This writ petition (criminal) stands allowed in terms of this order. No costs.

(A.S.M.,J.) (S.M.,J.)
16-07-2026

Index: Yes/No
Speaking order
Neutral Citation: Yes
SSM

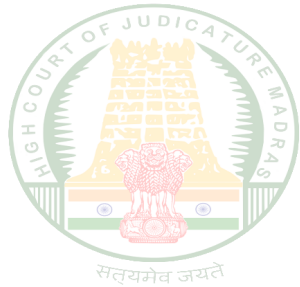
Note to Registry : Issue copy on or before 17.07.2026

To
1. The Secretary,
Home Department,



Fort St.George, Chennai - 600 009.

2. The Deputy Inspector General of Prison,
Gandhi Irwin Road,
Egmore, Chennai - 600 008.
3. The Superintendent,
Puzhal Central Prison-1,
Chennai - 600 066.
4. The Public Prosecutor, High Court, Madras.



WEB COPY

WP CrI. No. 1330 of 2026

DR.ANITA SUMANTH J.
AND
SUNDER MOHAN J.

SSM

WP CrI. No. 1330 of 2026

16-07-2026