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WP CrI. No. 1353 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-07-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

**WP CrI. No. 1353 of 2026
and WPMP CrI. No.459 of 2026**

Kuppammal
W/o.Palanisamy,
D.No.10/58, Arisana colony,
Othakkalmandapam,
Coimbatore South,
Coimbatore District-641032.

..Petitioner(s)

Vs

1. The State rep.by its
The Deputy Inspector General of Prison,
Coimbatore Range,
Coimbatore-641 018.
2. The Superintendent,
Coimbatore Central Prison,
Coimbatore-641 018.

..Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a WRIT OF CERTIORARIFIED MANDAMUS, calling for the records pertaining to the Impugned order bearing No.534/THA.U2/2026 dated 18.05.2026 passed by the 1st respondent and quash the same and consequently direct the respondents to grant ordinary



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leave for 28 days without escort to the detenu, Marimuthu, S/o.Palanisami, aged 45 years, convict prisoner, PID No.22180 confined at Central prison, Coimbatore.

For Petitioner(s): Mr.A.Sivakumar @ Sivaaj
for Mr.P.Bakiyaraj

For Respondent(s): Mr.C.R.Malarvannan
Counsel for Government of Tamil Nadu
(CrI.Side)

ORDER

(Order of the Court was made by Sunder Mohan J.)

The mother of the convict-Marimuthu, S/o.Palanisamy, aged 45 years, who has been sentenced to life imprisonment and confined as convict prisoner [PID No.22180] at Central Prison, Coimbatore, has filed the above writ petition challenging the impugned order refusing to grant ordinary leave to the convict.

2. According to the petitioner, the convict has undergone 11 years of imprisonment and he had not availed of leave even once and the impugned order refusing to grant leave is without basis and liable to be set aside.



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3. The learned counsel for Government of Tamil Nadu (Criminal Side), appearing for the respondents *per contra* submitted that the convict had undergone a total period of 10 years and 24 days of imprisonment and that though the Probation Officer had recommended the leave, the Inspector of Police had not recommended, since there is a threat to the convict's life from the victims of the offence committed by him, who are none other than his mother-in-law and brother-in-law.

4. The convict is accused of causing the death of his wife. The petitioner sought leave as one of the daughters of the convict was due to get married and the convict's presence was required for making arrangements. She had also claimed that the family was living in poverty and so far no steps were taken to seek leave for the convict.

5. The Probation Officer found the reasons to be true and had recommended leave. However, the Inspector of Police, Chettipalayam Police Station, had filed a report stating that there is a life threat to the convict by the victim's brother, who happens to be the brother-in-law of



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the convict, as a result of which, there could be a disturbance to law and order.

6. We find that the convict has not gone on leave for the past ten years except for one day, when he was granted Emergency Leave with escort on 15.09.2025. The reasons for leave have been found to be true by the Probation Officer and the convict is otherwise eligible for leave. At the same time, we are unable to brush aside the report of the police, who apprehend a life threat to the convict. Therefore, considering all the above facts, we are inclined to grant Ordinary Leave for 10 days with escort, which would allay the apprehension expressed by the police.

7. Accordingly, this Writ Petition is allowed and the impugned order is set aside. The convict prisoner is granted Ordinary Leave with minimum escort for a period of 10 days commencing from 08.07.2026 on the following conditions:

- (i) The respondents are directed to release the convict viz., Marimuthu, S/o.Palanisamy, aged 45 years, Convict Prisoner, PID No.22180 confined at Central Prison,



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Coimbatore, on ordinary leave with escort at government cost, for a period of ten (10) days i.e., from 08.07.2026 to 17.07.2026.

(ii)The convict shall be released on 08.07.2026 at 10.00 A.M. and is directed to surrender before the Superintendent of Prisons, Central Prison, Coimbatore, on 18.07.2026 before 10.00 A.M.

(iii)During the leave period, the Convict Prisoner shall abide by all the conditions prescribed in the Jail Manual.

Connected Miscellaneous Petition is closed.

(A.S.M.,J.) (S.M.,J.)
06-07-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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Issue order copy by 07.07.2026



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

ars

To

1. The Deputy Inspector General of Prison,
Coimbatore Range,
Coimbatore-641 018.
2. The Superintendent,
Coimbatore Central Prison,
Coimbatore-641 018.
3. The Public Prosecutor,
High Court, Madras.

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