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WP CrI. No. 1409 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-07-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

**WP CrI. No. 1409 of 2026
& WP MP CrI. No. 488 of 2026**

R.Meharnisha

..Petitioner(s)

Vs

1. The Deputy Inspector General of Prisons
Chennai Range,
Prison Head Quarters,
Whannels Road,
Egmore, Chennai - 600 008.
2. The Superintendent of Prison,
Central Prison-1,
Puzhal, Chennai – 600 066.

..Respondent(s)

Prayer: Petition filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorarified Mandamus calling for the records No.CP-PU1/1748/2026-R2 dated 21.05.2026 passed by respondent No.2, and quash the same and consequently direct the respondents to grant 30 days ordinary leave to the petitioner's husband namely Rafiyudeen S/o.Sulthan aged about 57 years bearing Convict No.8759 confined at Central Prison-1, Puzhal, Chennai.

For Petitioner(s):

Mr.P.Pugalenth



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For Respondent(s):

Mr. C.R. Malarvannan,
Counsel for Government of Tamil Nadu
(Criminal Side)

ORDER

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

The wife of the convict prisoner-Rafiyudeen [Convict No.8759], S/o. Sulthan, aged 57 years, who is confined at Central Prison-1, Puzhal, Chennai, has challenged the order dated 21.05.2026, by which, the request of ordinary leave was rejected by the second respondent.

2.The petitioner had sought for ordinary leave for her husband, since she suffered from a liver ailment. The respondents rejected her request, since the convict prisoner was involved in a NDPS offence, convicted by a Srilankan Court and repatriated to India.

3.The learned counsel for the petitioner submitted that this Court had set aside a similar impugned order and granted leave in WP.No.19848 of 2024 for a period of 15 days, considering the long incarceration suffered by the convict.

4.Heard the learned counsel for Government of Tamil Nadu (Criminal Side) for the respondents, who submitted that the impugned order cannot be faulted as the authorities are not empowered to grant leave to such convicts.



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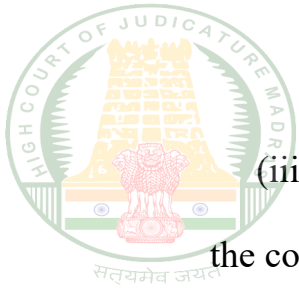
5. Since the petitioner had averred that she suffered from an ailment, we sought for a report from the probation officer. The probation officer, in his report, dated 17.07.2026, has stated that the reasons stated for leave are true.

6. In view of the medical condition and since the convict was already granted leave by an order of this Court, we are inclined to set aside the impugned order and grant 10 days ordinary leave to the convict prisoner.

7. Accordingly, this Writ Petition is allowed and the impugned order is set aside. The convict prisoner is granted Ordinary Leave with escort for a period of 10 days commencing from 31.07.2026 on the following conditions:

(i) The respondents are directed to release the convict viz., Rafiyudeen, S/o. Sulthan, aged 57 years, Convict No.8759, confined at Central Prison-1, Puzhal, Chennai, on ordinary leave with escort, for a period of Ten (10) days i.e., from 31.07.2026 to 09.08.2026.

(ii) The convict shall be released on 31.07.2026 at 10.00 A.M. and is directed to surrender before the Superintendent of Prisons, Central Prison-1, Puzhal, Chennai, on 10.08.2026 before 10.00 A.M.



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

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(A.S.M.,J.) (S.M.,J.)
23-07-2026

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

TSG

Note: Issue order copy on 29.07.2026.

To

1. The Deputy Inspector General of Prisons
Chennai Range,
Prison Head Quarters,
Whannels Road,
Egmore, Chennai - 600 008.
2. The Superintendent of Prison,
Central Prison-1,
Puzhal, Chennai – 600 066.
3. The Public Prosecutor,
Madras High Court.
4. SP Pattinam Police Station,
Thiruvadanai Taluk,
Ramanathapuram District – 623 406.



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

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