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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-08-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

WP CrI. No. 1392 of 2026

AND

WPMP CRL. NO. 479 OF 2026

S.Veembu
W/o.Senthilkumar,
No.122, Nadu Street,
Pethankuppam, Aalappakkam,
Cuddalore District.

..Petitioner(s)

Vs

1. The Deputy Inspector General of Prisons
Vellore Range,
Vellore - 632 002.

2. The Superintendent of Prisons,
Central Prison, Cuddalore -4.

..Respondent(s)

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records No.RO/VLR/801/2025-CAMP(A) dated 6.6.2026 passed by the respondent No.1, and quash the same and consequently direct the respondents to grant 40 days ordinary leave to the petitioner's husband S.Senthilkumar S/o. Selvaraj, aged 54 years, Convict Prisoner No.14681, (PID) 1031) now confined in the Central Prison, Cuddalore.



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For Petitioner(s):
For Respondent(s):

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

ORDER

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

Petitioner is the wife of convict S.Senthilkumar, S/o Selvaraj, who is confined in Central Prison, Cuddalore. He has been incarcerated vide judgment dated 27.06.2012 for various offences including life imprisonment for offences under the Railways Act. As on 30.06.2026, he has undergone total incarceration of 15 years 2 months and 23 days.

2. Mr.Pugalenthi, learned counsel for the petitioner states that the petitioner is aggrieved by the rejection of her request for leave of 40 days without escort. Order dated 06.06.2026 has been passed on the ground of bar under Rule 22 of the Tamil Nadu Suspension of Sentence Rules, 1982 (in short 'Rules') premised on Section 435 Cr.P.C., as the offence involves a Central enactment.

3. The authorities cannot really be faulted with for passing of the impugned order, seeing as the sentence in relation to the Railways Act is one of life imprisonment and hence, bar under Rule 22 in terms of Section 435 Cr.P.C. is absolute. Having said so, since the substantive grievance of the petitioner relates to medical treatment for various Ophthalmology issues, for which medical records have been produced before us, it goes without saying that the



authorities are expected to attend to the medical issues of the convict.

4. In the present case, we find the certificate from the Civil Assistant Surgeon, Central Prison Hospital, Cuddalore dated 09.06.2026 confirming the position that the convict is admittedly afflicted with diabetes mellitus, systemic hypertension and treatment for primary Open-Angle Glaucoma affecting both eyes. Surgery was performed on the left eye at the Government Headquarters Hospital, Cuddalore and the right eye is stated to be on topical medication. The convict is under observation in Prison hospital, continuing his medication and follow-up care. The doctor confirms that the convict requires regular continued treatment.

5. Mr.Pugalenth, states that the convict wishes to avail private treatment in Aravind Eye Hospital and Mr.Malarvannan, learned counsel for the Government of Tamil Nadu (Criminal Side) states that once a representation is made in this regard, the authorities will consider the same.

6. Prima facie, since the medical ailments of the petitioner's husband are not in dispute, let a representation be filed by the convict which will be considered by the authorities expeditiously.

7. Incidentally, we may state that as the petitioner only seeks redressal of medial ailments of the convict, there is really no need to avail leave for this purpose, as the authorities are duty bound to attend to the medical ailments of the petitioner's husband without him having to expend his leave for that purpose.



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DR.ANITA SUMANTH J.

**AND
SUNDER MOHAN J.**

8. Needless to say, in the event of him wishing to avail leave/furlough for the purposes stipulated under the applicable Rules, he is at liberty to approach the authorities in that regard as well.

9. This Writ Petition and the connected Miscellaneous Petition are closed with the aforesaid liberty.

**(A.S.M.,J.) (S.M.,J.)
14-08-2026**

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Index: Yes/No

Speaking order

Neutral Citation: Yes

To

1. The Deputy Inspector General of Prisons
Vellore Range,
Vellore - 632 002.
2. The Superintendent of Prisons,
Central Prison,
Cuddalore -4
3. The Public Prosecutor,
High Court of Madras.

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