



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-08-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

WP CrI. No. 1531 of 2026

Mohideen Fathima
W/o.Deen, Residing at No.71/24,
Periya kothuba-pallivasal-west street,
Melapalayam pakkam,
Tirunelveli district.

..Petitioner(s)

Vs

1. The State of Tamil Nadu
Rep.by The Secretary,
Department of Home,
Fort St.George, Chennai-600 009.
2. The Superintendent of Central Prison,
Palayankottai Central Prison,
Tirunelveli district.

..Respondent(s)

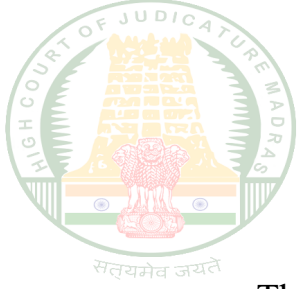
Petition filed under Article 226 of the Constitution of India to issue Writ, Order or Direction particularly writ in the nature of WRIT OF CERTIORARI to call for the record in FORM 2 dated 16.06.2026 on the file of second respondent herein and quash the same as illegal.

For Petitioner(s):

Mr.R.Sankarasubbu

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 aggrieved by the condition imposed under order dated 16.06.2026 wherein, while granting leave of three months the authorities have imposed a condition that he shall report before the jurisdiction police station everyday.

2. Mr.R.Sankarasubbu, learned counsel for the petitioner, would draw our attention to an order passed by this Court in WMP.No.29530 of 2023 in W.P.No.5475 of 2023 dated 13.10.2023, wherein while granting leave of three months to the convict, this Court has been pleased to impose a condition of reporting to the police station once a month. The leave granted was subsequently extended by the authorities following an order passed under Rule 40 of the Tamil Nadu Suspension of Sentence Rules, 1982 (Rules) by the State.

3. Under the impugned order dated 16.06.2026, the authorities, while granting leave, have imposed a condition that the convict report everyday to the police station. The reason for such a condition is unknown, in the sense, that this Court had in 2023, directed the convict to appear only once in a month.

4. The impugned order does not speak in regard to aggravating circumstances, if any, for so drastically increasing the frequency of the appearance. The counter that has been filed by the respondents also does not enlighten us in this regard.

5. In any event, and since the reports of the concerned Probation Officer



and police officers are not before us, we do not have the basis for the reasoning of the authorities, including enhanced threat perception, if any.

6. The impugned order has been passed under Rule 25 which sets out conditions to be imposed by the authority while granting leave. Clause (ii) states that the convict shall report before the police station daily once. Hence, we cannot fault the officers for imposing the impugned condition. However, seeing as there is no change in the circumstances between 2023 and today and we had under our order dated 13.10.2023 directed that convict to appear only once a month, we relax the condition relating to daily appearance, and direct the petitioner/convict to appear once a fortnight before the jurisdictional police station.

7. This Writ Petition (Criminal) is allowed in the above terms.

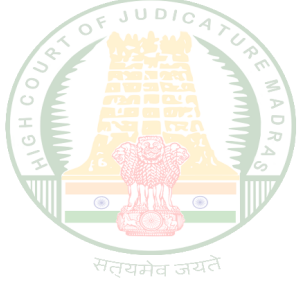
(A.S.M, J.) (S.M, J.)
03-08-2026

Index: Yes/No
Speaking order
Neutral Citation: Yes

mpl

To

1. The Secretary,
Department of Home, Fort St.George,
Chennai-600 009.
2. The Superintendent of Central Prison,
Palayankottai Central Prison,
Tirunelveli district.
3. The Public Prosecutor, High Court, Madras.



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WP CrI. No. 1531 of 2



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

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