



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31-07-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

WP CrI. No. 1859 of 2026

P.S.Sasikala
D/o.P.S.Palanisami,
Perumal Koil Pudur,
Itchipalaiyam Post,
Kodimudi (Via),
Erode District.

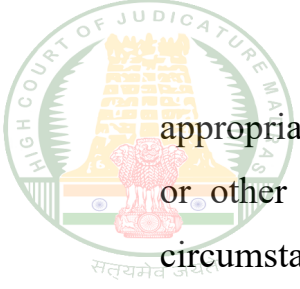
..Petitioner(s)

Vs

1. The State of Tamil Nadu, Rep by its Principal Secretary,
Home, Prohibition and Excise Department,
Fort St.George,
Chennai - 600 009.
2. The Deputy Inspector General of Prisons,
Coimbatore Range, Coimbatore.
3. The Superintendent of Prison
Central Prison, Coimbatore.

..Respondent(s)

Prayer: Writ petition filed under Article 226 of Constitution of India to issue a Writ of certiorarified Mandamus, calling for the records pertaining to the proceedings issued by the 3rd Respondent in No.595/Ku3/2026 dated 23.03.2026 rejecting ordinary leave/parole to the prisoner bearing PID No.37808 namely Sathish Kumar and quash the same and consequently direct the respondents to grant ordinary leave/parole to the said prisoner for an



appropriate period on humanitarian and medical grounds and pass such further or other orders as this Honourable Court may deem fit and proper in the circumstances of the case.

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For Petitioner(s): Mr.Sathiesh Kumar.A.S

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 the sister of convict Sathish Kumar, who is presently detained at Central Prison, Coimbatore. She is before this Court challenging order dated 23.03.2026 rejecting leave sought on behalf of the convict.

2. The reason cited in the impugned order is that, though leave is sought on medical grounds, no proof of the medical ailments has been produced. Additionally, we also note from the proforma circulated now, that the convict has a case pending before the Sessions Judge, Mahila Court, Namakkal, which is a bar for grant of leave under Rule 35 of the Tamil Nadu Suspense of Sentence Rules, 1982 (Rules).

3. Along with the compilation annexed to the writ affidavit, a medical certificate has been produced. However, it is not for the Court to look into the veracity or otherwise of the medical certificate and the document ought to have been produced before the authorities for their consideration.



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4. Seeing as the same has now been furnished to learned counsel for the Government of Tamil Nadu (Criminal Side), let the documents be transmitted to the Superintendent of the Central Prison, Coimbatore and the representation of the petitioner for leave be reviewed in light of the documentation now produced.

5. As far as the bar under Rule 35 is concerned, it is absolute, and states that no prisoner on whom cases are pending for trial, shall be granted leave. Having said so, Rule 40 states that the Government may exempt any person from all or any of the provisions of these Rules and this would apply equally to Rule 35.

6. Hence, if the reports from the Probation Officer and police authority are in favour of the convict, and the authorities are otherwise inclined to grant emergency leave as sought for, they may recommend the same to the State for its consideration under Rule 40.

7. With this, this writ petition is closed.

(A.S.M.,J.) (S.M.,J.)

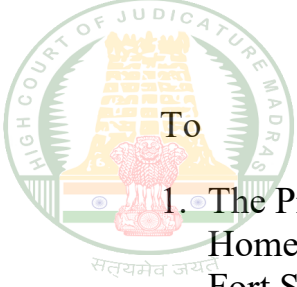
31-07-2026

vs

Index: Yes/No

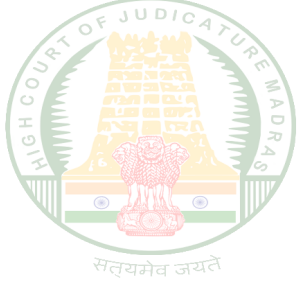
Speaking order

Neutral Citation: Yes



To

1. The Principal Secretary,
Home, Prohibition and Excise Department,
Fort St.George,
Chennai - 600 009.
2. The Deputy Inspector General of Prisons,
Coimbatore Range, Coimbatore.
3. The Superintendent of Prison
Central Prison, Coimbatore.
4. The Public Prosecutor, High Court of Madras.



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DR.ANITA SUMANTH J.

AND

SUNDER MOHAN J.

VS

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