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WP.Crl.No.2090 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-08-2026

CORAM

**THE HON'BLE DR.JUSTICE ANITA SUMANTH
AND
THE HON'BLE MR.JUSTICE SUNDER MOHAN**

WP.Crl.No.2090 of 2026

Abirami

..Petitioner

Vs

1. The State Represented by
The Deputy Inspector General of Prison (DIG),
Coimbatore Range, Coimbatore - 641 018.
2. The Superintendent,
Coimbatore Central Prison,
Coimbatore - 641 018.

..Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for record pertaining to the order passed by the 1st respondent bearing No.669/tha.vu.1/2016, dated 17.07.2026 and quash the same and consecutively direct the respondents to grant ordinary leave for 30 days without escort to the detenue, Prabhu S/o.Rathinasamy, aged about 49 years, PID No.318143, confined at Central Prison, Coimbatore.



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For Petitioner:

Ms.K.Sheebha
for Mr.S.Manoharan

For Respondents:

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

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

The wife of the convict, namely Prabhu, presently confined in Central Prison, Coimbatore, is aggrieved by rejection of her application for ordinary leave of 30 days without escort to the convict and has hence approached this Court by way of this writ petition.

2. Mr.C.R.Malarvannan accepts notice for the respondents and he has been instructed in full. He circulates a copy of the Probation Officer's report and Proforma setting out the particulars of the convict and the leave availed thus far.

3. Ms.K.Sheebha, learned counsel appearing for the petitioner, states that leave is required for two reasons. Firstly, the convict is himself facing various medical ailments, for which he is not being treated properly in the prison. Secondly, as the convict's mother-in-law is advanced in age, she wishes to see her son. The presence of the convict is thus required for both reasons as well as



for various other pressing family issues.

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4. Mr.Malarvannan would fairly point out that the reasons seeking leave have been found to be correct by the Probation Officer. However, the police authorities apprehend law and order problem if the convict is released.

5. We have heard both learned counsel.

6. The petitioner states that the convict is suffering serious kidney ailments, thus requiring constant medical attention. A recent injury has also necessitated the administering of medication. The petitioner apprehends that administering of other medication without consulting the Nephrologist would further complicate the pre-existing kidney condition of the convict.

7. We find some merit in the apprehensions of the petitioner. That apart, it is seen that the convict's mother, who is 78 years, is also suffering various ailments and the petitioner is thus in need of his support to run the household and to make arrangements for their livelihood. The Probation Officer, having looked into these issues, has opined that the reasons are genuine and true. However, the police authorities apprehend threat to the convict's life.

8.Learned counsel for the petitioner states that the victim's family is based in Bhavani, Erode District, which is 60 kilometres away from the place where the convict's family resides. That apart, the apprehension of the police is



couched in general terms and there appear to be no specific threat identified. In any event, the convict has been granted 21 days of ordinary leave between 27.03.2024 and 17.04.2024, by virtue of this Court's order in W.P.No.6203 of 2024, dated 22.03.2024. The said leave had been granted without escort and we are told that no untoward incident had transpired.

9. In the light of the discussion aforesaid, we are of the considered view that the report of the Probation Officer would enure to the benefit of the petitioner and the report of the police authorities does not make out any serious case for denying the leave sought.

10. The impugned order is thus set aside and the convict is directed to be enlarged on leave for a period of 28 days, commencing from 20.08.2026, though on the following conditions:

(i) Respondents are directed to release the Convict Prisoner viz.,Prabhu, S/o.Rathinasamy aged 49 years, confined at Central Prison, Coimbatore on Ordinary Leave for a period of 28 days i.e., from 20.08.2026 to 16.09.2026.

(ii) The Convict Prisoner shall be released on 20.08.2026 at 10.00 am and he shall surrender before the Central Prison, Coimbatore on 17.09.2026 before 10.00 a.m.

(iii) The Convict Prisoner is directed to report before the Inspector of Police, Mangalam Police Station, Tirupur District, every alternative day between 04.00 p.m. and 05.00 p.m., during



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the period of leave.

(iv) The Convict Prisoner shall utilize the leave only for the ground on which it has been granted and shall not indulge in any other activities.

11. This Writ Petition is allowed in the above terms.

(A.S.M.,J.) (S.M.,J.)
18-08-2026

Index: Yes/No
Speaking order
Neutral Citation: Yes

hvk

Note: Issue order copy today.



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

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To

1.The Deputy Inspector General of Prison (DIG),
Coimbatore Range, Coimbatore - 641 018.

2.The Superintendent,
Coimbatore Central Prison,
Coimbatore - 641 018.

3.The Inspector of Police,
Mangalam Police Station,
Tiruppur District.

4.The Public Prosecutor,
High Court of Madras.

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