



WEB COPY

WP CrI. No. 2106 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-08-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

WP CrI. No. 2106 of 2026

Justin

S/o. Siluvaimuthu,
No.203, C Block,
Goundhamapuram,
Housing Board,
Perambur, Chennai-600 011.
Now Confined in
Central prison-1,
Pid No.63425, Puzhal,
Chennai-600 066.

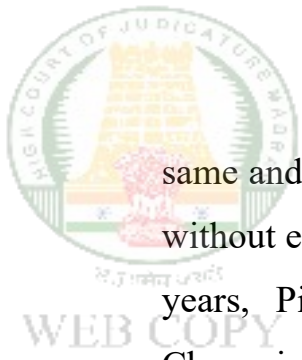
..Petitioner(s)

Vs

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

..Respondent(s)

Prayer: Writ petition filed under Article 226 of Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the respondent No.2 in order no.63425/tha.ku.2/2026 dated 03.08.2026 granting 28 days ordinary leave with escort and quash the



same and consequently direct the respondent to grant 28 days ordinary leave by without escort for the petitioner namely Justin S/o. Siluvai Muthu aged about 45 years, Pid No.63425, Convict Prisoner, Confined in Central Prison-1, Puzhal, Chennai and thus render Justice.

For Petitioner(s): Ms.S.Nadhiya

For Respondent(s): Mr.C.R.Malarvannan

Counsel For Government Of Tamilnadu
(Criminal Side)

Order

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

The petitioner is a convict lodged in Central Prison – I, Puzhal, Chennai. He had sought ordinary leave to visit his ailing sister and attend to his family matters. By order dated 30.07.2026, the convict has been granted leave, albeit with escort. A copy of that order has not been furnished either by the petitioner, who is represented by Ms.Nadhiya, or by Mr.Malarvannan, learned counsel for the Government of Tamil Nadu.

2. What is, in fact challenged in the Writ Petition is communication dated 03.08.2026 from the Prison authorities to the Tahsildar, with a copy marked to the sister of the petitioner, in terms of which sureties are to be furnished.

3. We are at a loss as to why this order has been challenged as it is not the petitioner's case that he is unable to produce sureties, and neither is that the case portrayed by learned counsel for the petitioner before us. The entirety of the



Writ Petition, as also the submissions, turn only on the condition of escort. As far as that is concerned, our attention is drawn to order dated 16.12.2024 passed in W.P.No.35218 of 2024 where the sister of the convict petitioner had sought leave and the same has been granted for 30 days without escort, imposing certain conditions.

4. The Probation Officer in his report dated 27.05.2026 has found the reasons seeking leave genuine enough but has recommended escort considering the events that have taken place in the past.

5. We find a specific finding in order dated 16.12.2024 that the Probation Officer while recommending the case for leave then had not given any adverse report as against the convict. The present report also does not specifically refer to any untoward incident post December, 2024 that would justify the recommendation for escort.

6. In such circumstances, order dated 30.07.2026/03.08.2026, to the extent to which an escort has been provided, is set aside and ordinary leave of 28 days without escort is granted, though on the following conditions:

(i) Respondents are directed to release the Convict Prisoner viz., Justin, S/o. Siluvai Muthu, aged 45 years, confined at Central Prison-1, Puzhal, Chennai on Ordinary Leave for a period of 28 days i.e., from 22.08.2026 to 18.09.2026.



(ii) The Convict Prisoner shall be released on 22.08.2026 at 10.00 am and he shall surrender before the Central Prison-1, Puzhal, Chennai on 19.09.2026 before 10.00 a.m.

(iii) The Convict Prisoner is directed to report before the Inspector of Police, K1 Sembium Police Station, Chennai every day at 10.30 a.m., during 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.

7. This Writ Petition is allowed to the above extent.

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

20-08-2026

sl

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

Note to Registry: Issue Today.



To

1. The Deputy Inspector General of Prisons,
Chennai Range,
Prison Head Quarters,
Whannels Road,
Egmore,
Chennai 600 008.
2. The Superintendent of Prisons
Central prison-1,
Puzhal,
Chennai - 600 066.
3. The Public Prosecutor, High Court of Madras.
4. The Inspector of Police, K1 Sembium Police Station, Chennai.



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