

WP.Crl(MD)No.3787 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.07.2026

CORAM:

**THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA
and
THE HONOURABLE MS.JUSTICE R.POORNIMA**

WP.Crl(MD)No.3787 of 2026

B.Mahalakshmi

... Petitioner

vs.

1. The Deputy Inspector General of Prisons and Correctional Services,
Trichy Range, Race Course Road,
Trichy - 620 023.

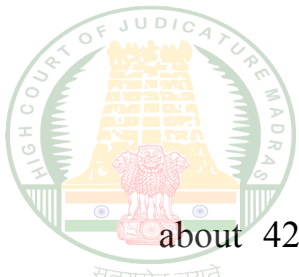
2. The Superintendent of Prison,
Central Prison, Trichy - 620 020.

3. The Superintendent of Police,
O/o.The Superintendent of Police,
Tiruppur District.

4. The Inspector of Police,
Veerapandi Police Station,
Tiruppur District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the 1st Respondent vide proceedings in No.RO.TRY/358/2026-CA dated:23.06.2026 and quash the same as illegal and consequently direct the 1st Respondent to grant 21 days Ordinary Leave without police escort to the Petitioner's husband namely Balaji, S/o.Moorthy, aged



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about 42 years. Life Convict, PID No.404118 confined at Central Prison,
Trichy.

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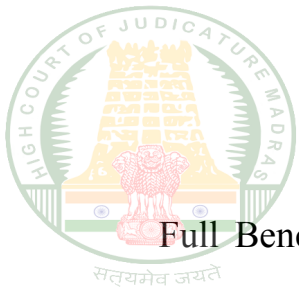
For Petitioner : Mr.K.A.S.Prabhu
For Respondents : Mr.D.Venkatesh
Counsel for State of Tamilnadu (Crl.Side)

ORDER

[Order of the Court was made by **A.D.JAGADISH CHANDIRA, J.**]

Challenging the order dated 23.06.2026 passed by the 1st respondent rejecting the request of the convict prisoner to grant ordinary leave, this writ petition is filed to quash the same with a consequential direction to the 1st respondent to grant 21 days ordinary leave without escort to the convict prisoner.

2. The learned counsel for the petitioner has relied upon the order of the Five Judges Bench in the case of *Sheefa Rani and others vs. The Secretary to Government of Tamil Nadu and others* [2026 (6) SCC OnLine Mad 6235] wherein, at paragraph 21(ii), the said Five Judges Bench has held that pending the final determination of the reference before it and the proceedings in *Mukesh Kumar v. State (Govt. of NCT of Delhi)* [MA.No.1658/2023 in Crl.A.No.1343/2012] before the Hon'ble Supreme Court, the judgment of the



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Full Bench of this Court in ***T.Ramalakshmi v. State and others [2025 SLL***

OnLine Mad 14228] shall hold the field and govern the grant of leave. Further, the said Five Judges Bench has directed the Prison authorities to process the applications for ordinary and emergency leave in accordance with the 1982 Rules and the guidelines established in ***T.Ramalakshmi's case(supra)***, adjudicating each on its individual merits. While so, the respondents holding that an appeal is pending, had rejected the leave application of the convict prisoner in this case. Thus, the learned counsel for the petitioner submitted that despite the pendency of an appeal against the convict prisoner, he is entitled for leave as per the ruling in ***T.Ramalakshmi's case(supra)***.

3. The learned counsel for State of Tamilnadu (Crl.Side) fairly conceded that before the Five Judges Bench order came to the knowledge of the respondents, the impugned order came to be passed. However, he would fairly admit that despite the pendency of the appeal, the convict prisoner is entitled for ordinary leave and the Probation Officer has also recommended for the same.

4. In view of the above, the impugned order in No.RO.TRY/358/2026-CA dated 23.06.2026 stands set aside. The convict prisoner is hereby granted ordinary leave for 21 days without escort, on the following conditions:



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(i) The convict prisoner namely, Balaji, S/o.Moorthy, Life Convict, PID No.404118 confined at Central Prison, Trichy, is granted ordinary leave for 21 days from 30.07.2026 to 19.08.2026, without escort.

(ii) The convict prisoner shall execute sureties before the Jail authorities concerned.

(iii) The convict prisoner shall be released from the Prison at 5.00 p.m on 29.07.2026 and he shall return back to the Prison at 10.00 a.m on 19.08.2026.

(iv) During the said leave period, the convict prisoner shall report before the Inspector of Police, Veerapandi Police Station, daily at 06.30 p.m., from 30.07.2026 onwards without fail.

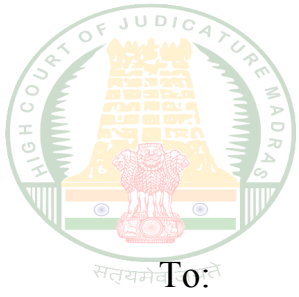
(v) During the leave period, the convict prisoner shall abide by all the conditions prescribed in the Jail Manual.

5. With the above direction, the Writ Petition stands allowed. No costs.

[A.D.J.C., J.] [R.P., J.]
24.07.2026

Index : Yes / No
Neutral Citation : Yes / No
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Note : Issue order copy on 28.07.2026



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To:

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A.D.JAGADISH CHANDIRA, J.
AND
R.POORNIMA, J.

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ORDER MADE IN
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DATED : 24.07.2026