

W.P.No.11372 of 2025

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**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

DATED : 13.06.2025

CORAM

**THE HONOURABLE MR. JUSTICE M.S.RAMESH**

**and**

**THE HONOURABLE MR. JUSTICE V.LAKSHMINARAYANAN**

**W.P.No.11372 of 2025**

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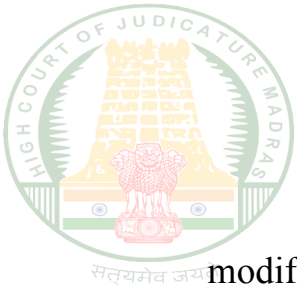
.. Petitioner

**Vs.**

- 1.State of Tamilnadu,  
Rep. by the Additional Chief Secretary to Government,  
Home (Prison V) Department,  
Secretariat, Fort St George, Chennai – 600 009.
- 2.The Director General of Prisons and Correctional Services,  
Tamilnadu Prison Department,  
No.6, Whennals Road, Egmore, Chennai – 600 008.
- 3.The Deputy Inspector General of Prisons,  
Office of DIG of Prisons – Coimbatore Range,  
Coimbatore – 641 018.
- 4.The Superintendent of Prison,  
Central Prison for Men,  
Salem – 636 007.

.. Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India  
praying to issue a Writ of Mandamus to direct the 4<sup>th</sup> respondent to



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modify the order dated 20.01.2025 in Circular No.181/தகு-3/2025 and to grant ordinary leave for 21 days without police escort to the petitioner's elder brother namely James, S/o Mathiyalagan (PID No.281593), who is undergone for more than 4 years (From 01.09.2020) of imprisonment in the Salem Central Prison as per Rules 19 and 20 (vii) or 40 of Tamilnadu Suspension of Sentence Rules, 1982 by considering her representation dated 14.02.2025.

For Petitioner : Ms.D.Geetha

For Respondents : Mr.E.Rajthilak  
Additional Public Prosecutor

### **ORDER**

(Order of the Court was made by *M.S.RAMESH, J.*)

This Writ Petition has been filed for issuance of Writ of Mandamus, directing the 4<sup>th</sup> respondent to modify the order dated 20.01.2025 and to grant 21 days of ordinary leave without escort to the detenu, James, S/o.Mathiyalagan, aged about 46 years, PID No.281593, confined at Salem Central Prison.

2.The 4<sup>th</sup> respondent, by an order dated 20.01.2025 granted 21 days ordinary leave to the detenu with police escort. The petitioner has filed



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this writ petition seeking modification of the order of the 4<sup>th</sup> respondent dated 20.01.2025 without police escort.

3.The learned counsel for the petitioner submitted that the petitioner has undergone imprisonment for more than 4 years. The petitioner seeks ordinary leave for her brother to take care of their mother during her treatment. Further, the learned counsel for the petitioner has also produced the poverty certificate of the petitioner's parents, issued by the Tahsildar, Salem South, dated 12.05.2025.

4.The learned Additional Public Prosecutor has produced the report of the Probation Officer, which evidences that the convict prisoner's mother has been taking treatment for her left hand fracture and she is continuing her medical treatment due to age related ailments.

5.Being convinced with the report of the Probation Officer, the poverty certificate issued by the Tahsildar, Salem South, dated 12.05.2025 and by invoking Rule 16 of the Tamil Nadu Suspension of Sentence Rules, 1982, the cost of the escort shall be borne by the State



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Government. Accordingly, the order of the 4<sup>th</sup> respondent granting 21 days ordinary leave to the detenu James, S/o.Mathiyalagan, aged about 46 years, PID No.281593 with escort is hereby confirmed and the cost of escort shall be borne by the State Government. The ordinary leave of the detenu James, S/o.Mathiyalagan, aged about 46 years, PID No.281593 confined at Salem Central Prison, commences **from 20.06.2025 to 10.07.2025**. After expiry of the ordinary leave, the life convict shall surrender before the Jail Authority **on 10.07.2025 before 05.30 P.M.** The prisoner shall utilize the leave only for the purpose for which it has been granted and shall not indulge in any other activities.

6.With the above directions, this Writ Petition stands allowed. No costs.

(M.S.R., J)

(V.L.N., J)

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Index : Yes / No

Internet : Yes / No

Neutral Citation : Yes / No

**NOTE:** Issue order copy on 19.06.2025.



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To

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Rep. by the Additional Chief Secretary to Government,  
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- 5.The Inspector of Police,  
Annadhanapatty Police Station,  
Salem District.
- 6.The Public Prosecutor,  
High Court, Madras.



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