



W.P.No.11846 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S.RAMESH  
and  
THE HONOURABLE MR. JUSTICE V.LAKSHMINARAYANAN

W.P.No.11846 of 2025  
and W.M.P.No.13408 of 2025

Rathinam

... Petitioner

Vs.

1.The State represented by its  
The Secretary to the Government of Tamil Nadu  
Department of Home  
Fort St. George  
Chennai 600 009

2.The Director Inspector General of Prison  
Hasthampatti  
Salem

3.The Superintendent  
Central Prison  
Salem 636 007

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India,  
praying for the issuance of Writ of Certiorarified Mandamus, to call for  
the records pertaining to the impugned order bearing No.8670/Tha.ku.3/  
2025, dated 15.03.2025 passed by the 3rd respondent and quash the same

Page 1 of 6



W.P.No.11846 of 2025

and consecutively direct the respondent to grant ordinary leave for 21 days without escort to the Convict Thirupathi, S/o.Rathinam, aged about 41 years, Convict No.PID 181715, detained at Central Prison, Salem.

For Petitioner : Mr.L.Ramanathan

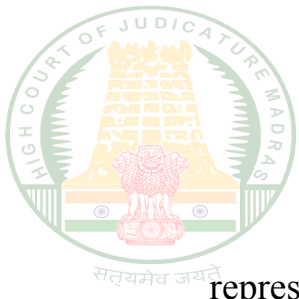
For Respondents : Mr.E.Raj Thilak  
Additional Public Prosecutor

ORDER

M.S.RAMESH, J.  
AND  
V.LAKSHMINARAYANAN, J.

This Writ Petition has been filed for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order bearing No.8670/Tha.ku.3/ 2025, dated 15.03.2025 passed by the 3rd respondent and quash the same and consecutively direct the respondent to grant ordinary leave for 21 days without escort to the Convict Thirupathi, S/o.Rathinam, aged about 41 years, Convict No.PID 181715, detained at Central Prison, Salem.

2.The learned counsel for the petitioner submitted that a



W.P.No.11846 of 2025

WEB COPY

representation dated 29.01.2025 was sent to the respondents seeking for grant of 21 days ordinary leave to the petitioner's son. The convict prisoner's eye vision is getting diminished and he needs to be given treatment in a private hospital to enable him to get back his vision clearly. Further, the prisoner's parents are senior citizens and suffering from various ailments. The respondents have considered the representation of the petitioner and granted 21 days ordinary leave with escort. Aggrieved by the said order of leave with escort, the petitioner is before this Court seeking for appropriate orders.

3. Learned Additional Public Prosecutor has produced a report of the Probation Officer dated 06.02.2025, which is in favour of the life convict and the Probation Officer has stated that the reasons for which the petitioner seeks ordinary leave is genuine. He added that the 3rd respondent has also passed an impugned order bearing No.8670/Tha.ku.3/2025 dated 15.03.2025 granting 21 days ordinary leave to the convict prisoner with escort.

4. Considering the fact that the 3rd respondent viz. The Superintendent, Central Prison, Salem has already granted ordinary leave



W.P.No.11846 of 2025

WEB COPY

to the convict prisoner with escort, this Court deems it appropriate to confirm the leave granted by the 3rd respondent with a modification that the convict prisoner is granted leave of 21 days ordinary leave "without escort".

5. This Writ Petition stands allowed accordingly. The impugned proceedings of the 3rd respondent in No.8670/Tha.ku.3/2025 dated 15.03.2025 is hereby set aside. Consequently, there shall be a direction to the respondents herein to grant 21 days ordinary leave ***“without escort”*** to the life convict viz. Thirupathi, aged about 41 years, S/o.Rathinam, Life Convict No.PID 181715, commencing from 03.07.2025 to 23.07.2025, with a condition that the life convict shall report before the jurisdictional Police i.e. Dharamangalam Police Station, daily at 5.00 p.m. After expiry of the Ordinary Leave, the life convict shall surrender before the Jail Authority on 24.07.2025 before 10.00 a.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. No costs. Consequently, connected miscellaneous petition is closed.



W.P.No.11846 of 2025

WEB COPY

[M.S.R, J.]

[V.L.N, J.]

27.06.2025

kas

Index: Yes / No

Speaking / Non Speaking

Neutral Citation

Note: Issue Order Copy on 02.07.2025

To

1.The Secretary to the Government of Tamil Nadu  
Department of Home  
Fort St. George  
Chennai 600 009

2.The Director Inspector General of Prison  
Hasthampatti  
Salem

3.The Superintendent  
Central Prison  
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WEB COPY



W.P.No.11846 of 2025

M.S.RAMESH, J.  
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V.LAKSHMINARAYANAN, J.

kas

4.The Public Prosecutor  
High Court of Madras  
Chennai

W.P.No.11846 of 2025  
and W.M.P.No.13408 of 2025

27.06.2025