



W.P.Crl.No.11 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S.RAMESH

and

THE HONOURABLE MR. JUSTICE V.LAKSHMINARAYANAN

W.P.Crl.No.11 of 2025

and W.M.P.Crl.No.1 of 2025

Sandhya

... Petitioner

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

... 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 in the order dated 23.05.2025 passed by the respondent No.2 and quashing the same and directing the respondents to grant ordinary



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leave for 40 days by without escort to the petitioner namely Sampath, S/o.Paneer Selvam, aged 61 years, Convict Prisoner, OJCT No.2008, Central Prison, Puzhal.

For Petitioner : Ms.S.Nadhiya

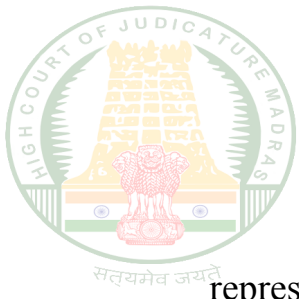
For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor

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 order dated 23.05.2025 passed by the respondent No.2 and to quash the same and direct the respondents to grant ordinary leave for 40 days by without escort to the petitioner namely Sampath, S/o.Paneer Selvam, aged 61 years, Convict Prisoner, OJCT No.2008, Central Prison, Puzhal.

2. Learned counsel for the petitioner submitted that the 2nd respondent vide impugned order 23.05.2025 had rejected the petitioner's



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representation dated 25.04.2025, seeking for grant of 40 days ordinary leave to the petitioner's husband. The petitioner is having health issues and experiencing paralysis and loss of function in her left hand, accompanied by significant pain for the past four years. Despite continuous medical treatment and regular medication, there has been no improvement. The doctors have recently advised that she needs urgent surgical intervention on the affected hand. Hence, the petitioner is before this Court.

3. Learned Additional Public Prosecutor has stated that the petitioner's representation was rejected by the 2nd respondent, as the petitioner's husband is not eligible for grant of ordinary leaver as per Rule No.35 of Tamil Nadu Suspension of Sentence Rules 1982, as the said prisoner has a case pending trial against him in Crime No.1058 of 2000, for the offence punishable U/s.452, 395 r/w 397 IPC, pending trial before the 1st Additional Sessions Court, Chennai, in S.C.No.440 of 2007. He added that the Probation Officer in his report has stated that the



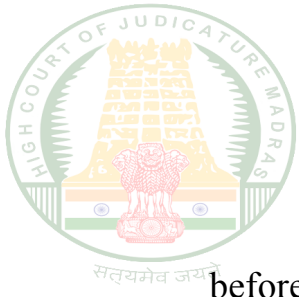
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reasons stated by the petitioner in the representation seeking for leave is genuine.

4.Considering the fact that the petitioner's husband is not entitled for any ordinary leave as per Rule No.35 of Tamil Nadu Suspension of Sentence Rules 1982, and also considering the medical issues of the petitioner and the recommendation of the Probation Officer, this Court is inclined to grant six days emergency leave to the convict prisoner.

5.This Writ Petition stands allowed accordingly. The impugned proceedings of the 2rd respondent dated 23.05.2025 is hereby set aside. Consequently, there shall be a direction to the respondents herein, to grant six (6) days Emergency leave ***“without escort”*** to the life convict viz. Sampath, S/o.Paneerselvam, OJCT No.2008, commencing from 17.07.2025 to 22.07.2025, with a condition that the life convict shall report before the jurisdictional Police i.e. Puliyanthope Police Station, Chennai, daily at 10.30 a.m. After expiry of the Emergency Leave, the life convict shall surrender before the Jail Authority on 23.07.2025



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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. Consequently, the connected miscellaneous petition is closed.

[M.S.R, J.]

[V.L.N, J.]

11.07.2025

kas

Index: Yes / No

Speaking / Non Speaking

Neutral Citation

Note: Issue Order Copy on 16.07.2025

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
Chennai

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