

W.P.Crl.No.95 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

and

THE HONOURABLE MR. JUSTICE V.LAKSHMINARAYANAN

W.P.Crl.No.95 of 2025

and

W.P.M.P.Crl.No.50 of 2025

Palaniyammal

.. Petitioner

Vs.

The State represented by its,

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

2.The Deputy Inspector General of Prison,
Coimbatore Range,
Coimbatore – 641 018.

3.The Superintendent,
Salem Central Prison,
Salem – 635 007.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India

praying to issue a Writ of Certiorarified Mandamus, to call for the



W.P.Cr1.No.95 of 2025

WEB COPY

records pertaining to the impugned order bearing No.379/tha.wu 2/2025 dated: 22.04.2025, passed by the 2nd respondent and quash the same and consequently direct the 2nd respondent to grant ordinary leave for 21 days without escort to the detenu, Sivakumar @ Siva, S/o.Siththan, aged about 40 years, Convict No.1115, detained at Central Prison, Salem.

For Petitioner : Mr.M.Elhilarasu

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

ORDER

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

This Writ Petition has been filed challenging the impugned order dated 22.04.2025 of the 2nd respondent rejecting the representation of the petitioner seeking grant of ordinary leave to her son / life convict.

2.The learned counsel for the petitioner submitted that the life convict has undergone more than 7 years of imprisonment and therefore sought for grant of ordinary leave.



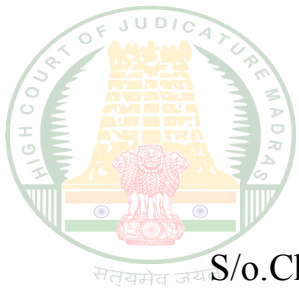
W.P.Cr1.No.95 of 2025

WEB COPY

3.The learned Additional Public Prosecutor has produced the particulars of the life convict dated 17.06.2025, which states that the life convict is eligible for grant of ordinary leave under the Tamil Nadu Suspension of Sentence Rules, 1982. Further, the learned Additional Public Prosecutor has also produced a report of the Probation Officer dated 18.03.2025, which states that the reason assigned by the petitioner seeking leave for her son / life convict is not genuine and hence, he has not recommended for grant of leave.

4.By taking into consideration the period of incarceration undergone by the life convict, as well as the reasons assigned in the affidavit filed in support of this petition, we are inclined to grant 28 days of ordinary leave to the petitioner's son/life convict, by invoking our powers under Article 226 of the Constitution of India.

5.Accordingly, the impugned order dated 22.04.2025 passed by the 2nd respondent, is hereby quashed. Consequently there shall be a direction to the respondents herein, to grant 28 days ordinary leave “**without escort**” to the petitioner's son/life convict namely Sivakumar @ Siva,



W.P.Cr1.No.95 of 2025

WEB COPY

S/o.Chithan, aged 37 years, Convict 1115, confined at Central Prison, Salem, commencing from **11.07.2025 to 07.08.2025**, with a condition that the life convict shall report before the jurisdictional Police i.e. Nangavalli Police Station, Krishnagiri, daily at 10.30 A.M. After expiry of the Ordinary Leave, the life convict shall surrender before the Jail Authority on **07.08.2025 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 direction, the Writ Petition stands allowed.

Connected miscellaneous petition is closed. No costs.

(M.S.R., J)

(V.L.N., J)

04.07.2025

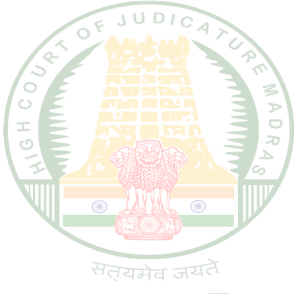
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Index : Yes / No

Internet : Yes / No

Neutral Citation : Yes / No

NOTE : Issue order copy on 10.07.2025.



W.P.Crl.No.95 of 2025

WEB COPY

To

- 1.The State represented by its,
The Secretary to the Government of Tamil Nadu,
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- 2.The Deputy Inspector General of Prison,
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Coimbatore – 641 018.
- 3.The Superintendent,
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- 4.The Public Prosecutor,
High Court, Madras.



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W.P.Crl.No.95 of 2025

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and

V.LAKSHMINARAYANAN, J.

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W.P.Crl.No.95 of 2025

04.07.2025