



WEB COPY

WP CrI. No. 114 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-09-2025

CORAM

**THE HONOURABLE MRS JUSTICE J. NISHA BANU
AND
THE HONOURABLE MR.JUSTICE S. SOUNTHAR**

**W.P. CrI. No. 114 of 2025
and W.P.M.P.CrI.No.62 of 2025**

1. Manikandan

S/o.Periyasamy, Convict Prisoner,
Convict No.7221, Central Prison-I,
Puzhal, Chennai-600 066.

Appellant(s)

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-I, Puzhal, Chennai-600 066.

Respondent(s)

PRAYER

The present Writ Petition has been filed under Article 226 of the Constitution of India for the issuance of a Writ of Certiorarified Mandamus calling for the records connected with impugned order vide reference No.743011/Tha.Ku.2/2025 dated 19.02.2025 passed by the second respondents



and quash the same and directing the respondents to grant ordinary leave for 28 days without escort to the detenue, Mr.Manikandan, S/o.Mr.U.Periyasamy, Hindu, aged about 30 years Convict No.7221, confined at Central Prison-I, Chennai-600 066.

For Appellant(s): Mr. N.Vishnuvardhan

For Respondent(s): Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

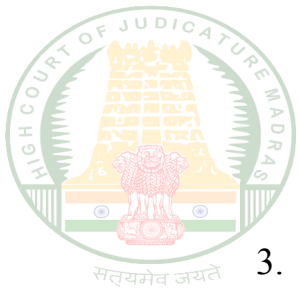
J. NISHA BANU, J.

and

S. SOUNTHAR, J.

This Writ Petition has been filed to direct the respondents to grant ordinary leave of 28 days to the petitioner/convict, Manikandan, S/o. U.Periyasamy, aged about 28 years, Convict No.7221, confined at Central Prison -I, Puzhal, Chennai.

2. The petitioner herein seeks grant of 28 days of ordinary leave on the ground that his wife is suffering from Fibroadnenoma that he is required to take care of her for advanced medical treatment. Further, he has already undergone 4 years and 13 days of imprisonment.

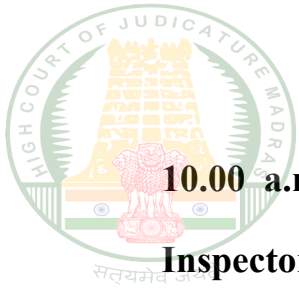


3. The learned Additional Public Prosecutor produced a copy of the Probation Officer's report dated 26.02.2025, wherein, the Probation Officer has stated that the reasons assigned by the petitioner are found to be false and therefore, he has not recommended for grant of leave

4. Heard the learned counsel on either side and perused the documents.

5. Even though the Probation Officer has not recommended for grant of leave to the petitioner, considering the fact that the convict has already undergone four years of imprisonment and so far, he has availed only 10 days leave, in exercise of powers under Article 226 of the Constitution of India and keeping in line with the decision of the Hon'ble Supreme Court in '*Dadu alias Tulsidas Vs. State of Maharashtra*' reported in '*(2000) 8 SCC 437*', this Court is inclined to grant leave for a period of 20 days to the convict/petitioner.

6. Accordingly, the impugned order dated 19.02.2025 passed by the second respondent bearing No.743011/Tha.Ku.2/2025, is hereby quashed. Consequently, the convict viz., Manikandan S/o.U.Periyasamy, aged about 28 years, Convict No : 7221 (PID : 105630), confined at Central Prison – I, Puzhal, Chennai, is hereby granted ordinary leave for a period of 20 days, **without escort**, commencing **from 22.09.2025 to 11.10.2025**. On expiry of the leave, the convict shall surrender before the prison authorities on **12.10.2025 before**



10.00 a.m. During the period of leave, the prisoner shall report before the **Inspector of Police, Ramanatham Police Station, Thittakudi, Cuddalore District, twice a week on Tuesdays and Fridays at 10.30 a.m.** The Convict Prisoner shall utilize the leave only for the ground on which it has been granted and shall not indulge in any other activities.

7. Accordingly, the Writ Petition stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

(J.NISHA BANU J.) (S.SOUNTHAR J.)
16-09-2025

ASI

Note: Issue order copy on or before 19.09.2025

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-I, Puzhal,
Chennai-600 066.



3. The Inspector of Police,
Ramanatham Police Station, Thittakudi,
Cuddalore District.

4. The Public Prosecutor,
High Court of Madras, Chennai.



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