



W.P.Crl.No.254 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.08.2025

CORAM :

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

W.P.Crl.No.254 of 2025

Shanmugam Kandasamy

... Petitioner

Vs.

1.The State Rep. by
Principal Secretary to the Government
Home, Prohibition and Excise Department (Prison IV)
St. George Fort
Chennai 600 009

2.The Additional Director General of Prison
Whannels Road
Egmore
Chennai 600 008

3.Superintendent of Prison
Central Prison
Coimbatore

... 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



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the records made in the impugned order in No.22404/TaKu.3/2024 dated 18.06.2025 passed by the 3rd respondent, quash the same and direct the 3rd respondent to grant leave.

For Petitioner : Mr.G.Paramasivam

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

ORDER

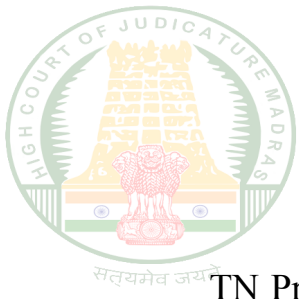
M.S.RAMESH, J.

and

V.LAKSHMINARAYANAN, J.

This Writ Petition has been filed for issuance of Writ of Certiorarified Mandamus, to call for the records made in the impugned order in No.22404/TaKu.3/2024 dated 18.06.2025 passed by the 3rd respondent, quash the same and direct the 3rd respondent to grant leave.

2.The learned counsel for the petitioner submitted that a representation dated 09.06.2025 was sent to the respondents seeking for grant of 30 days ordinary leave to the petitioner's son. The same was rejected by the 3rd respondent vide impugned order dated 18.06.2025 on the ground that the convict prisoner is an under trial prisoner by invoking



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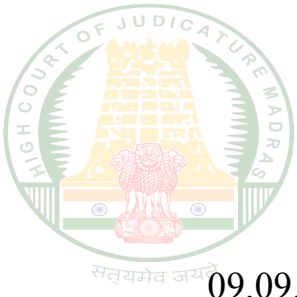
TN Prison Procedure Book Vol.3 Rule No.35 of Suspension of Sentence

Rules 1982. Hence the petitioner is before this Court.

3. Learned Additional Public Prosecutor submitted that the leave request of the petitioner was rejected by the 3rd respondent by invoking Tamil Nadu Prison Procedure Book Vol.3 Rule No.35 of Suspension of Sentence Rules 1982, as he is an under trial prisoner.

4. Though the representation of the petitioner was rejected vide impugned proceedings, we are inclined to grant 25 days ordinary leave to the convict prisoner.

5. This Writ Petition stands allowed accordingly. The impugned proceedings of the 3rd respondent dated 18.06.2025 bearing No.22404/TaKu.3/2024 is hereby quashed. Consequently, there shall be a direction to the respondents herein, to grant 25 days ordinary leave **“without escort”** to the life convict viz. Rajan, S/o. Shanmugam Kandasamy, PID No.26503, commencing from 15.08.2025 to



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09.09.2025, with a condition that the life convict shall report before the jurisdictional Police i.e. Tiruppathur Taluk Police Station, daily at 10.30 a.m. After expiry of the Ordinary Leave, the life convict shall surrender before the Jail Authority on 10.09.2025 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.

[M.S.R, J.]

[V.L.N, J.]

08.08.2025

kas

Index: Yes / No

Speaking / Non Speaking

Neutral Citation

Note: Issue Order Copy on 14.08.2025

To

1.The Principal Secretary to the Government
Home, Prohibition and Excise Department (Prison IV)
St. George Fort
Chennai 600 009



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2.The Additional Director General of Prison
Whannels Road
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3.Superintendent of Prison
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4.The Public Prosecutor
High Court of Madras
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