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W.P.(CrL) No.373 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.10.2025

C O R A M

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

AND

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.(CrL) No.373 of 2025

and

W.P.M.P.(CrL.)No.175 of 2025

Sivanmani
S/o Karuppanan

... Petitioner

-VS-

The State represented by its

1. The Secretary to Government of Tamil Nadu,
Home (Prison-IV)Department,
Fort St.George,
Chennai-600 009.
2. The Deputy Inspector General of Prison,
Coimbatore Range, Central Prison Coimbatore
Coimbatore - 641 018.
3. The Superintendent,
Central Prison Coimbatore,
Coimbatore - 641 018.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order No.20425/Tha.Ku.3/2025 dated



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10.06.2025 issued by the 3rd respondent and quash the same and consequently direct the respondents to grant ordinary leave of 30 days without escort to the detenue, Soundararajan, S/o Sivanmani, aged about 41 years, PID No.37810, confined at Central Prison, Coimbatore.

For Petitioner : Mr.S.Manoharan

For Respondents : Mr.A.Gokulakrishnan
Addl. Public Prosecutor

ORDER

(The order of the Court was made by *J.Nisha Banu,J.*)

This Writ Petition has been filed, challenging the order dated 10.06.2025 passed by the 3rd respondent in No.20425/Tha.Ku.3/2025, whereby the representation of the petitioner, seeking grant of leave to his son / Convict Prisoner, was rejected.

2. It is the case of the petitioner that he is the father of the Life Convict, namely, Soundararajan, S/o.Sivanmani, aged 41 years, PID No.37810 and his son has been undergoing life imprisonment in connection with the judgment passed in S.C.No.78 of 2014 on the file of the Additional Session Judge, Mahila Court (Fast Track Court) at Erode, which was confirmed by this Court in CrL.A.No.551 of 2017, vide order dated 27.03.2018. The representation dated 30.05.2025 given by the petitioner for grant of 30 days leave to his son was rejected by the 3rd respondent vide



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order impugned herein. It is the further case of the petitioner that his wife has undergone surgery for left leg fracture and the petitioner is unable to take care of her due to his old age. The detenu is their only son and therefore, his presence is required for their family. His son is inside the jail for more than 10 years and he has not applied for any leave previously. For the first time, he has applied for ordinary leave and the rejection of leave application is violative of Articles 14 and 21 of the Constitution of India.

3. Learned Additional Public Prosecutor has stated that the petitioner's son is inside prison for the past 11 years and 5 months. However, he would state that the convict has never availed any leave after his conviction.

4. Considering the fact that the convict is inside prison for more than 11 years and that he has not applied for any kind of leave so far on earlier occasions, we are inclined to grant leave for a period 6 days with minimum escort to the Convict.

5. Accordingly, we direct the respondents to grant ordinary leave to the petitioner's son / Life Convict, namely, Soundararajan, S/o Sivanmani, PID No.37810, confined in the Central Prison, Coimbatore, for



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a period of 6 days ***from 10.10.2025 to 16.10.2025*** (by excluding the day on which the Convict is released from the prison) **with minimum escort**, subject to the usual / other conditions that may be imposed by the respondents. The Convict shall be released from the prison at 10.00 a.m. on 10.10.2025 and he shall return back to the prison on or before 05.00 p.m. on 16.10.2025. The expenses for the Escort shall be borne by the petitioner.

6. This Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

(J.N.B.J.) (S.S.J.)
07.10.2025

vsi

Note: Issue order copy on 09.10.2025

To

1. The Secretary to Government of Tamil Nadu,
Home (Prison-IV) Department,
Fort St.George, Chennai-600 009.
2. The Deputy Inspector General of Prison,
Coimbatore Range, Central Prison Coimbatore
Coimbatore - 641 018.
3. The Superintendent,

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Central Prison Coimbatore,
Coimbatore - 641 018.

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4. The Public Prosecutor,
High Court, Chennai.

J.NISHA BANU, J.
AND
S.SOUNTHAR, J.



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