



W.P.Crl.No.369 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.07.2025

CORAM :

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

W.P.Crl.No.369 of 2025
and W.M.P.Crl.No.173 of 2025

Arthi

...Petitioner

Vs.

1.The Additional Director General of Prison,
Prison Head Quarters,
Whannels Road (Gandhi Irwin Road),
Egmore, Chennai-600 008

2.The Superintendent of Prison,
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 dated 09.07.2025 passed by the second respondent and quash the same and consequently, direct the respondents to grant 15 days emergency leave to the petitioner's father Rajan, S/o.Munusamy, convict prisoner, now confined at Central Prison-1, Puzhal, Chennai-66.

For Petitioner : Mr.A.Nirmal Kumar Sharma

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



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ORDER

M.S.RAMESH, J.

and

V.LAKSHMINARAYANAN, J.

This writ petition has been filed to call for the records dated 09.07.2025 passed by the second respondent and quash the same. Consequently, to direct the respondents to grant emergency leave for a period of 15 days to the petitioner's father, Rajan, S/o.Munusamy, convict prisoner, now confined at Central Prison-1, Puzhal, Chennai-66.

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

3. Through a representation dated 02.07.2025, the petitioner herein sought emergency leave for a period of 15 days for her father/ convict prisoner, without escort, on the ground that her grandmother had passed away on 26.06.2025 and that her 30th day rituals are scheduled to be conducted on 24.07.2025, which the convict prisoner is required to perform. However, the same was rejected by the second respondent vide impugned order dated 09.07.2025. Further, the detainee has undergone 3



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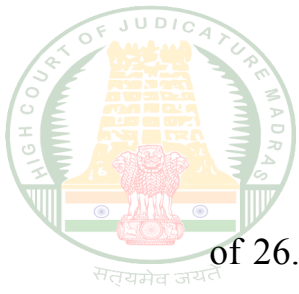
years, 2 months and 16 days of imprisonment.

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4.The learned Additional Public Prosecutor produced a copy of the Probation Officer's report dated 22.07.2025, in which, the Probation Officer has recommended for grant of leave as the reasons assigned by the petitioner is said to be true.

5. Although the convict prisoner is not eligible for emergency leave as per the Tamil Nadu Suspension of Sentence Rule 1982, considering that the Probation Officer has recommended for grant of emergency leave, we are inclined to grant emergency leave only for a period of 3 days in exercise of our powers under Article 226 of the Constitution of India, with minimum escort.

6. Accordingly, the impugned order dated 09.07.2025 is quashed and the detenue viz., Rajan, S/o.Munusamy, convict prisoner, now confined at Central Prison-1, Puzhal, Chennai-66, is hereby granted emergency leave for a period of 3 days i.e from 24.07.2025 to 26.07.2025, with minimum escort, from 10.00 am on 24.07.2025 to 5 pm



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of 26.07.2025. On expiry of the leave, the detenu shall surrender before the prison authorities. The second respondent is directed to provide minimum escort of two police constables to the convict from the Central Prison from the time he leaves the prison and till such time he is taken back to the prison.

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

[M.S.R., J] [V.L.N., J]

23.07.2025

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

Anu

Note: Issue Order Copy on 23.07.2025

Upload the order copy forthwith

To

1.The Additional Director General of Prison,
Prison Head Quarters,
Whannels Road (Gandhi Irwin Road),
Egmore, Chennai-600 008



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2.The Superintendent of Prison,
Central Prison-1,
Puzhal, Chennai-600 066

3.The Public Prosecutor,
High Court, Madras.



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V.LAKSHMINARAYANAN, J.

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