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WP CrI. No. 429 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-11-2025

CORAM

**THE HONOURABLE MR JUSTICE N. SATHISH KUMAR
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

WP CrI. No. 429 of 2025

Indrani
W/o.Shangar Pillai

Appellant(s)

Vs

The state rep by its

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

Respondent(s)

**PRAYER**

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This writ petition filed under Article 226 of the Constitution of India to issue a writ of certiorarified mandamus to call for the records pertaining to the impugned Order No.617 /Tha.Ku.2/2025 dated 23.05.2025 issued by the 2nd respondent and quash the same and consecutively direct the respondents to grant ordinary leave of 40 days without escort to the detenu, Shangar Pillai, S/o.Periyasamy aged 55 years, P.I.D No.30818, confined at Central Prison, Coimbatore.

For Appellant(s): Mr. S.Manoharan

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

ORDER

(Order of the Court was made by N.Sathish Kumar J.)

The order rejecting the leave application passed by the second respondent vide proceeding No.617/Tha.Ku.2/2025 dated 23.05.2025 is under challenge in the present writ proceedings.



2. It is the case of the petitioner that her husband was convicted for a maximum sentence of life imprisonment for the offence under Section 302 (3 counts) for each count and also convicted for the offence under section 392 IPC. All the sentences were ordered to be run concurrently.

3. The petitioner herein seeks grant of 40 days of ordinary leave for her husband as per Rule 22 of the Tamil Nadu Suspension of Sentence Rules, and the same has been rejected on the ground that the petitioner is not residing at the address mentioned in her petition.

4. The learned Additional Public Prosecutor produced a copy of the Probation Officer's report dated 06.05.2025, wherein, it is stated that as the petitioner is not residing within his limit, he is not able to verify the truthfulness of the reasons assigned by the petitioner for grant of leave to her husband/detenu. He further submits that as the convict prisoner has so far undergone 10 years, 8 months and 12 days of imprisonment, he is entitled to 40 days ordinary leave.



5. As directed by this Court, the petitioner/wife of the detenu, namely Indrani, is present before this Court today. She has also produced her Aadhar Card to establish her identity.

6. Considering the fact that the petitioner's husband is in custody for more than 10 years, he is entitled to ordinary leave. Though the leave has been rejected only on the ground that the address of the petitioner/wife of the detenu could not be located, since the petitioner appeared before this Court and produced her Aadhar card, and as the convict prisoner is entitled to 40 days ordinary leave, we are inclined to grant 40 days of ordinary leave to the convict prisoner as per Rules. Further, no adverse case whatsoever has been brought against the convict by the Police.

7. Accordingly, the impugned order dated 23.05.2025 passed by the second respondent is quashed and the convict prisoner viz., Sangar Pillai, S/o. Periyasamy (PID No.30818), now confined at Central Prison, Coimbatore, is hereby granted ordinary leave for a period of **40 days subject to the following**



conditions:

(i) the petitioner shall produced two sureties to the satisfaction of the Superintendent of Prison, Central Prison, Coimbatore.

(ii) On production of sureties, the Convict Prisoner shall be released from the prison on ordinary leave for 40 days.

(iii) The Convict Prisoner shall return to the prison after completion of 40 days of his ordinary leave.

(iv) 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.

8. Accordingly, the Writ Petition (Criminal)stands allowed. No costs.

(N.SATHISH KUMAR J.) (M.JOTHIRAMAN J.)
12-11-2025

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

mrp



To

1. The Secretary to Government of Tamilnadu
Home Department, Fort, St. George,
Chennai-600 009

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

3. The Superintendent
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