



W.P.(Clr.)No.462 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-09-2025

CORAM:

THE HONOURABLE MRS. JUSTICE J. NISHA BANU

AND

THE HONOURABLE MR. JUSTICE S. SOUNTHAR

**W.P.(Crl.)No.462 of 2025**  
**and W.P.M.P.(Crl.)No.220 of 2025**

V.Rajeshwari,

D/o Minor Kurose @ Venkatagiri

... Petitioner

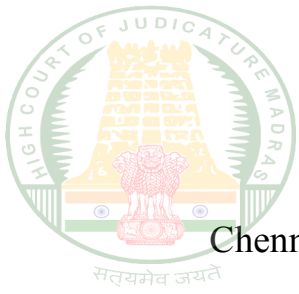
Vs.

1. The Director General of Police &  
Director General of Prisons and Correctional Service,  
Whannels Road, Egmore,  
Chennai - 600 008.

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

... Respondents

**PRAYER:** The Writ Petition has been filed under Article 226 of the Constitution of India for the issuance of Writ of Certiorarified Mandamus to call for the records in No.NIL dated 21.06.2025 passed by the respondent No.2, and quash the same and consequently direct the respondents to grant 28 days ordinary leave to the petitioner's father Minor Kurose @ Venkatagiri S/o Latsumaiya, aged 65 years Convict Prisoner, PID.No.155737, now confined in the Central Prison-1, Puzhal,



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WEB COPY For Petitioner : Mr. P.Pugalenth  
For Respondents : Mr.A.Gokulakrishnan  
Additional Public Prosecutor

### **ORDER**

**J.Nisha Banu,J.**  
**and**  
**S.Sounthar,J.**

This Writ Petition has been filed by the daughter of the prisoner, challenging the impugned order dated 21.06.2025, rejecting the representation of the petitioner dated 10.05.2025.

2. The only reason assigned in the impugned order for rejecting the petitioner's request for grant of ordinary leave is that since he is a life convict and was convicted under Section 3 of Explosive Substance Act, he is not eligible for grant of leave under Rule 21(h)(1) of Tamil Nadu Suspension of Sentence Rules, 1982.

3. According to the petitioner, they are living in a mud house and due to last year heavy rain, their mud house was damaged and therefore, they have decided to renovate the house with the help of her father. Though her father is a life convict, he is in prison for about 10 years and hence, he is eligible for 28 days ordinary leave.

4. Learned Additional Public Prosecutor would state that though



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the petitioner's father is in prison for about 10 years, since he is a life convict and was convicted under Section 3 of Explosive Substances Act, r/w Section 120-B, 148 & 302 of I.P.C., he is not eligible for leave and hence, the representation of the petitioner was rejected.

5. Though the representation of the petitioner was rejected by citing Rule 21(h)(1) of Tamil Nadu Suspension of Sentence Rules, 1982, which states that any person convicted under terrorist crimes is not eligible for grant of ordinary 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 life convict as this Court is convinced with the reasons stated by the petitioner in the affidavit filed in support of the petition.

6. Accordingly, the impugned order dated 21.06.2025 passed in No.NIL by the second respondent, is hereby quashed. Consequently, Ordinary Leave for a period of 20 days without escort, is granted to the petitioner's father/life convict, namely, Minor Kurose @ Venkatagiri S/o Latsumaiya, aged 65 years, Convict Prisoner, PID.No.155737,



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commencing from 17.09.2025 to 06.10.2025, now confined in Central Prison, Puzhal, Chennai, with a condition that the life convict shall report before the jurisdictional Police i.e. Denkanikottai Town Police Station, twice a week on Thursdays and Mondays at 10.30 a.m. After expiry of the Ordinary Leave, the life convict shall surrender before the Jail Authority on 07.10.2025 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.

7. The Writ Petition is ordered in the above terms. Consequently, connected miscellaneous petition is closed.

**(J.NISHA BANU, J.) (S. SOUNTHAR, J.)**

**12-09-2025**

vsi

**Note:** Uploadn and issue order copy forthwith.

To

1. The Director General of Police &  
Director General of Prisons and Correctional Service,  
Whannels Road, Egmore,  
Chennai - 600 008.
2. The Superintendent of Prisons,  
Central Prison-1,  
Puzhal, Chennai – 600 066.



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3. The Inspector of Police,  
Denkanikottai Town Police Station,  
Denkanikottai, Krishnagiri.

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



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**J. NISHA BANU, J.**  
**and**  
**S. SOUNTHAR, J.**

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