



W.P.(Clr.)No.461 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.461 of 2025
and W.P.M.P.(Crl.)No.219 of 2025

S.Vembu,
W/o Senthilkumar

... Petitioner

Vs.

1. The Deputy Inspector General of Police
Vellore Range,
Vellore – 632 002.

2. The Superintendent of Prisons,
Central Prison,
Cuddalore.

... 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.RO/VLR/576,2025-CAMP(A) dated 17.07.2025 passed by the respondent No.1, and quash the same and consequently direct the respondents to grant 40 days ordinary leave to the petitioner's husband S.Senthilkumar S/o Selvaraj, aged 48 years, Convict Prisoner No.14681,(PID 1031) now confined in the Central



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Prison, Cuddalore.

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 wife of the detenu, S.Senthilkumar, challenging the impugned order dated 17.07.2025, passed by the 1st respondent, rejecting the representation of the petitioner dated 14.07.2025.

2. The only reason assigned in the impugned order for rejecting the life convict's request for grant of ordinary leave is that since he is a life convict and was convicted under Section 150(2)(b) of the Indian Railways Act, 1989, he is not eligible for grant of leave.

3. According to the petitioner, their first son has completed B.E. and their 2nd daughter has completed MBBS course and another son is studying 4th year MBBS Course in the Government Medical College and her daughter has completed 12 standard. They have decided to arrange marriage for their elder son and to arrange money for the educational expenses of their children and therefore, the presence of her husband is



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necessary. Further, her husband needs to take treatment for his eye problem and thus, requested for 40 days ordinary leave.

4. Learned Additional Public Prosecutor would state that since he is a life convict and was convicted under the TADA, Explosive Substances Act apart from section 150(2)(b) of the Indian Railways Act, 1989, he is not eligible for leave and hence, the representation of the petitioner was rejected.

5. Though the representation of the life convict was rejected stating 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 17.07.2025 passed in No.RO/VLR/576,2025-CAMP(A) by the first respondent, is hereby quashed. Consequently, Ordinary Leave for a period of 20 days without



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escort, is granted to the petitioner's husband/life convict, namely, S.Senthilkumar S/o Selvaraj, aged 48 years, Convict Prisoner No.14681,(PID 1031), commencing from 17.09.2025 to 06.10.2025, now confined in Central Prison, Cuddalore, with a condition that the life convict shall report before the jurisdictional Police i.e. Virudhachalam 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.)

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vsi

Note: Upload and issue order copy forthwith

To

1. The Deputy Inspector General of Police
Vellore Range,
Vellore – 632 002.



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2. The Superintendent of Prisons,
Central Prison,
Cuddalore.

3. The Inspector of Police,
Virudhachalam Police Station,
Cuddalore.

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



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