

W.P.(CrI.).No.468 of 2025



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

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This matter is listed today under the caption “for being mentioned” at the instance of the learned counsel for the petitioner.

2. When the matter is taken up for hearing today, the learned counsel for the petitioner submits that this Court, vide order dated 12.09.2025 in W.P.(CrI.) No.468 of 2025, granted 20 days' ordinary leave to the petitioner's husband/ convict namely, Mahendran, S/o.Mathivanan, aged about 33 days, bearing PID No.196892, confined at Central Prison, Coimbatore, with a condition that the convict shall report before the jurisdictional police, twice a week on Thursdays and Mondays at 10.30 a.m.

3. He further submits that in the said order, the name of the jurisdictional Police Station has wrongly been mentioned as “Valparai Police Station”, which is 110 km away from the residence of the convict, instead of “**Mulanur Police Station**”. He therefore, requests that the same may be corrected.

4. Considering the submission made by the learned counsel for the petitioner, the Registry is directed to carry out the necessary correction in paragraph No.6 of the order dated 12.09.2025 by incorporating “**Mulanur Police Station**” instead of Valparai Police Station and issue a fresh order copy to the parties today itself.

[J.N.B., J] [S.S., J]  
22.09.2025

***Note: Issue order copy today itself***

ASI



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

ASI

**W.P.(CrI.).No.468 of 2025**

**22-09-2025**

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.468 of 2025**

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Elizabeth,  
W/o Mathivanan

... Petitioner

Vs.

The State represented by tis

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

... 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 pertaining to the rejection order No.22217/Tha.Ku.3/2025 dated 30.06.2025 issued by the 3<sup>rd</sup> respondent and quash the same and consequently direct the 1<sup>st</sup> respondent to grant leave for one month without escort to the detenu, Mahendran, S/o Mathivanan, aged about 33 years, convict prisoner bearing PID.No.96892 detained at Central Prison, Coimbatore.

For Petitioner : Mr.S.Manoharan

For Respondents : Mr.A.Gokulakrishnan  
Additional Public Prosecutor



## ORDER



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

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This Writ Petition has been filed by the mother of the detenu, Mahendran, challenging the impugned order dated 30.06.2025 passed by the 3<sup>rd</sup> respondent, rejecting the representation of the petitioner dated 24.06.2025.

2. The only reason assigned in the impugned order for rejecting the petitioner's request for grant of ordinary leave to her son is that he has committed an offence under section 4 of Tamil Nadu Prohibition of Women Harassment Act and also offence under section 307 I.P.C and was sentenced to undergo 10 years rigorous imprisonment and hence, he is not eligible for grant of leave.

3. According to the petitioner, her son has undergone 5 years of imprisonment. Due to high level of diabetics, her husband is not able to go for work and she is going for work and managing their daily survival. Her mother-in-law, aged 92 years, who nurtured her son from childhood, is now bedridden and her health condition is very poor and she deeply wishes to see her grandson/prisoner and hence, the petitioner requested for grant of 30 days ordinary leave to her son.

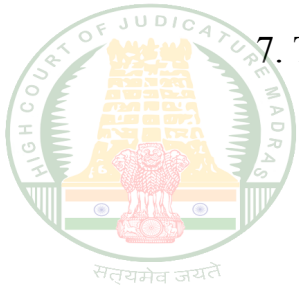
4. Learned Additional Public Prosecutor would state that the convict has undergone imprisonment for the past 5 years. He has committed offence under section 307 IPC and section 4 of Prohibition of Women Harassment Act, 1998. At the time of the petitioner's representation, a case in



C.C.No.25/2023 was pending. Now, he has been acquitted in the case in respect of C.C.No.25/2023 on 01.08.2025.

5. The convict has undergone imprisonment for the past 5 years and since a case in C.C.No.25/2023 was pending at the time when the petitioner gave representation and now that the son of the petitioner was acquitted on 01.08.2025 in the case in C.C.No.25/2025, 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 prisoner 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 30.06.2025 passed in No.22217/Tha.Ku.3/2025 by the third respondent, is hereby quashed. Consequently, Ordinary Leave for a period of 20 days “*with minimum escort*” is granted to the convict, namely, Mahendran, S/o Mathivanan, aged 33 years, Convict Prisoner, bearing PID.No.196892, commencing from 17.09.2025 to 06.10.2025, now confined in Central Prison, Coimbatore, with a condition that the convict shall report before the jurisdictional Police i.e. Valparai Police Station, twice a week on Thursdays and Mondays at 10.30 a.m. After expiry of the Ordinary Leave, the prisoner 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.



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

12-09-2025

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**Note:** Upload and issue order forthwith

To

1. The Secretary to Government of TamilNadu,  
Home (Prison-IV) Department,  
Secretariat of Tamil Nadu,  
Chennai – 600 009.
2. The Deputy Inspector General of Prison,  
Coimbatore Range, Central Prison,  
Coimbatore – 641 018.
3. The Superintendent,  
Central Prison,  
Coimbatore – 641 018.
4. The Inspector of Police,  
Valparai Police Station,  
Coimbatore.
5. The Public Prosecutor,  
High Court of Madras, Chennai.



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

vsi

**W.P.(CrI.)No.468 of 2025**

**12-09-2025**