



WEB COPY



W.P.(Crl.) No.544 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.09.2025

C O R A M

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

AND

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.Crl. No.544 of 2025

Nanthini

... Petitioner

-VS-

1. The Additional Director General of Police and
Inspector General of Prisons,
Whannels Road, Egmore,
Chennai-600 008.

2. The Deputy Inspector General of Prison,
O/o.Deputy Inspector General of Prison,
Coimbatore Range, Coimbatore District.

3. The Superintendent of Prison,
Salem Central Prison,
Salem District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus to call for the records in proceedings vide No.3464/R4/2025 dated 30.06.2025 by the 3rd respondent and quash the same and further direct the respondents 2 to 3 to grant ordinary leave of 28 days without escort to petitioner husband convict prisoner Mr.Boopathi, S/o. Thangarasu, PID-98929 now confined in 3rd



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respondent Central Prison, Salem for the purpose of making arrangements repair the house and arrangements for the children to join the hostel in pursuant to petitioner representation dated on 16.04.2025.

For Petitioner : Mr.P.Muthamizhselvakumar

For Respondents : Mr.A.Gokulakrishnan
Addl. Public Prosecutor

ORDER

(By J.Nisha Banu,J.)

This Writ Petition has been filed, challenging the proceedings No.3464/R4/2025 dated 30.06.2025 passed by the 3rd respondent, whereby the request of the petitioner for grant of Ordinary Leave to the Convict Prisoner was rejected.

2. Learned counsel for the petitioner submitted that the detainee / Convict Prisoner has been undergoing incarceration for about six years and his presence is very much essential to mobilize funds to carry out the repair of the house, which is in a dilapidated condition. The petitioner, who is the wife of the detainee sent a representation dated 16.04.2025 to the respondents for grant of leave. However, her request was negatived on the



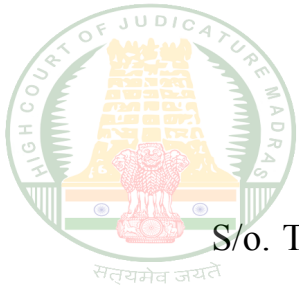
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ground that there was a case registered against the Convict on 28.08.2024, which disentitles him to avail leave as per Rule 21(k) of Tamil Nadu Suspension of Sentence Rules, 1982. Aggrieved by the same, the petitioner is before this Court.

3. Learned Additional Public Prosecutor has fairly conceded that the Convict is entitled to ordinary leave. He has also produced a copy of the report of the Probation Officer, recommending to grant leave to the Convict, as the reason for repairing the house was found to be true.

4. By taking into consideration the report of the Probation Officer, recommending to grant leave to the convict prisoner, as well as the fact that the Convict Prisoner was granted leave on earlier occasion without escort, we are inclined to grant 15 days of ordinary leave to the convict prisoner.

5. Accordingly, the respondents are directed to grant 15 days Ordinary Leave 'without escort' to the Convict Prisoner namely Boopathi,



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S/o. Thangarasu, PID-98929, commencing from **26.09.2025 to 10.10.2025**,

subject to the usual / other conditions that may be imposed by the respondents. The Convict Prisoner shall report before the jurisdictional Police, i.e. Namagiripettai Police Station, Namakkal District daily at 10.30am. After expiry of the Ordinary Leave, the convict prisoner shall surrender before the Jail Authority on **11.10.2025 on or before 10.00am**. The prisoner shall utilize the leave only for the purpose for which it has been granted and shall not indulge in any other activities.

6. Accordingly, this Writ Petition is allowed, by setting aside the impugned proceedings No.3464/R4/2025 dated 30.06.2025 passed by the 3rd respondent. No costs.

(J.N.B.J.) (S.S.J.)
24.09.2025

Index: Yes / No
Internet: Yes / No
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Note: Issue order copy on 25.09.2025



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To:

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Inspector General of Prisons,
Whannels Road, Egmore,
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2. The Deputy Inspector General of Prison,
O/o.Deputy Inspector General of Prison,
Coimbatore Range, Coimbatore District.
3. The Superintendent of Prison,
Salem Central Prison,
Salem District.
4. The Inspector of Police,
Namagiripettai Police Station,
Namakkal District.
5. The Public Prosecutor,
High Court, Madras.



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