

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-09-2025

CORAM

**THE HONOURABLE MRS JUSTICE J. NISHA BANU
AND
THE HONOURABLE MR.JUSTICE S. SOUNTHAR**

**W.P. CrI. No. 534 of 2025
and W.P.M.P.CrI.No.258 of 2025**

1. Palani

S/o. Kadalai Kottai @ Natarajan, Life
Convict Prisoner, PID No.38071,
Central Prison at Salem, Hasthampatty,
Salem - 636007.

Appellant(s)

Vs

1. The State Rep by its, The Deputy
inspector General of Prison,
Office of Deputy Inspector General of
Prison, Coimbatore Range,
Gandhipuram -18.

2.The Superintendent of Prison,
Central Prison at Salem, Hasthampatty,
Salem - 636007.

Respondent(s)

PRAYER: The present Writ Petition has been filed under Article 226 of the Constitution of India for the issuance of a Writ of Certiorarified Mandamus to call for the records pertaining with an impugned order in No.23519/Tha.Ku.3/2024 dated 31.01.2025 passed by the 2nd respondent quash the same and consequently direct the respondents to grant 40 days leave without escort to the petitioner/ Convict namely Mr.Palani s/o. Kadalai Kottai @ Natarajan (PID No.38071)

For Appellant(s): Mr. M.Mohamed Saifulla
Selvakumar Subramaniam,
M.Ganesh Kumar B.Dhanuesh

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

ORDER

J. NISHA BANU, J.

and

S. SOUNTHAR, J.

This Writ Petition has been filed to direct the respondents to grant ordinary leave of 40 days without escort to the petitioner / convict, Palani, S/o.Kadalai Kottai @ Natarajan, aged about 55 years, PID : 38071, confined at Central Prison, Salem.

2. The petitioner herein seeks for grant of 40 days of ordinary leave on the ground that one portion of his house is in a dilapidated condition and he has to make necessary arrangement for repairing the same as well as for making arrangements for the livelihood of his family. It is further submits that the convict is the sole responsible person to take care of his family. Further, the convict has undergone 13 years, 8 months and 19 days of imprisonment.

3.The learned Additional Public Prosecutor produced a copy of the Probation Officer's report dated 30.08.2025, wherein the Probation Officer has stated that the reasons assigned by the petitioner are found to be true. Hence, the Probation Officer has recommended for grant of leave to the petitioner.

4. Heard the learned counsel on either side and perused the documents.

5. Considering the fact that the Probation Officer has recommended for grant of leave and 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 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 31.01.2025 passed by the second respondent, is hereby quashed. Consequently, the convict viz., Palani S/o.Kadalai Kottai @ Natarajan, aged about 55 years, bearing PID : 38071, confined at Central Prison, Salem, is hereby granted ordinary leave for a period of 20 days, **without escort**, commencing **from 24.09.2025 to 13.10.2025**. On expiry of the leave, the convict shall surrender before the prison authorities on

14.10.2025 before 10.00 a.m.. During the period of leave, the prisoner shall report before the **Inspector of Police, Singarapettai Police Station, daily at 10.30 a.m.** 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.

7. Accordingly, the Writ Petition stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

(J.NISHA BANU J.) (S.SOUNTHAR J.)
19-09-2025

ASI

Note: Issue order copy on or before 23.09.2025.

To

1. The Deputy inspector General of Prison,
Office of Deputy Inspector General of Prison,
Coimbatore Range, Gandhipuram -18.

2.The Superintendent of Prison,
Central Prison at Salem,
Hasthampatty, Salem - 636007.

3. The Inspector of Police,
Singarapettai Police Station.

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

WP Crl. No. 534 of 2025

**J.NISHA BANU J.
AND
S.SOUNTHAR J.**

ASI

**W.P. Crl. No. 534 of 2025
and W.P.M.P.Crl.No.258 of 2025**

19-09-2025