



WEB COPY



W.P.Crl.No.680 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 03.11.2025

CORAM

THE HONOURABLE MR . JUSTICE N.SATHISH KUMAR

AND

THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

W.P.Crl.No.680 of 2025

Jayakumar

... Petitioner

Versus

1. The Deputy Inspector General of Prison
Chennai Range
Prison Head Quarters
Whannels Road, Egmore
Chennai – 600 008

2. The Superintendent of Prison
Central Prison – I
Puzhal – 600 066

.. Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for a Writ of Certiorarified Mandamus to call for the records of the impugned order dated 11.08.2025 bearing No.CP-PUI/2497/2025-R2 passed by Respondent No.2 and quashing the same and consequently direct the respondents to grant 15 days emergency leave without escort to the petitioner, namely Jayakumar s/o.Sivanandam, aged about 47 years, Convict No.9838, Convict Prisoner, Central Prison, Puzhal, Chennai.

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For Petitioner : Ms.S.Nadhiya

For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

(Order of the Court was made by N.SATHISH KUMAR, J.)

The present writ petition has been filed challenging the order of rejection of the request to grant emergency leave on the ground of illness for his relations.

2. According to the learned counsel for the petitioner, the petitioner's wife sustained 60% burnt injuries due to which she is experiencing severe pain in the body and hence, prays for 6 days emergency leave. The learned counsel further submitted that the petitioner is unable to incur the expenses for the escort and hence, the petitioner may be granted emergency leave without escort.

3. The learned Additional Public Prosecutor, adverting to Probation Officer report, submitted that there is no provision to grant 15 days emergency leave in one spell as he has not completed 3 years of sentence.



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4. It is seen that the petitioner has not completed 3 years of sentence for the grant of ordinary leave. However, considering the fact the petitioner's wife is suffering from pain due to burnt injuries, which has not been refuted by the learned Additional Public Prosecutor, we are of the view that the convict prisoner can be granted emergency leave not exceeding six days in one spell as per Rules 6 and 13 of Tamil Nadu Suspension of Sentence Rules, 1982.

5. In such view of the matter, the impugned order dated 11.08.2025 is quashed and the convict prisoner **Jayakumar, S/o.Sivanandam (LCT No.9838)** is granted six days emergency leave **from 05.11.2025 to 12.11.2025** with minimum escort (by excluding the day on which the Convict is released from the prison and the day on which he surrenders before the Prison Authorities). The respondent shall provide minimum escort and the expenses for the escort shall be borne by the Government for the present and later, if the Government is of the view that the petitioner is not under poverty, the expenses for the escort shall be recovered from the petitioner. After expiry of the Emergency Leave, the life convict shall



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surrender before the Jail Authority on or before 05.00p.m on 12.11.2025.

The life convict shall utilize the leave only for the purpose for which it has been granted and shall not indulge in any other activities.

6. With the above direction, this writ petition stands allowed. There shall be no order as to costs.

[N.S.K.,J.] [M.J.R.,J.]
03.11.2025

Index: Yes/No

Neutral Citation: Yes/No

gpa

Note: Issue order copy 04.11.2025

To

1. The Deputy Inspector General of Prison
Gandhi Irvin Road, Egmore
Chennai – 600 008
2. The Superintendent of Prison
Puzhal Central Prison – I
Puzhal – 600 066
3. The Public Prosecutor
High Court, Madras.



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