



W.P.Crl.No.748 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2025

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN
and
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

W.P.Crl.No.748 of 2025

and

W.P.M.P.Crl.No.341 of 2025

Thangammal

... Petitioner

Vs.

1. The Home Secretary,
Home Department (Prison),
Secretariat, Fort St.George,
Chennai – 600 009.

2. The Deputy Inspector General of Prison,
Coimbatore Zone,
Coimbatore.

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

... Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India,



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praying to issuance of Writ of Certiorarified Mandamus calling for the records relating to the proceedings in No.469/Thau2/2025 by the 2nd respondent dated 09.05.2025 and quash the same and consequently direct the 3rd respondent to grant 28 days ordinary leave without escort to the petitioner's son Ellango @ Ellangovan (Convict Prisoner No.9806, PID No.222840), who is presently lodged in Central Prison, Salem.

For Petitioner : Mr.P.M.Basil

For Respondents : Mr.R.Muniyapparaj,
Additional Public Prosecutor,
assisted by Mr.M.Sylvester John

ORDER

[Order of the Court was made by P.VELMURUGAN, J.,]

This writ petition has been filed challenging the impugned proceedings dated 09.05.2025 in No.469/Thau2/2025 of the second respondent, rejecting the representation of the petitioner, seeking 28 days' ordinary leave without escort for the convict prisoner Ellango @ Ellangovan (Convict Prisoner No.9806, PID No.222840).

2. According to the petitioner, she is suffering from a severe



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intestinal condition (Hernia), which requires medical treatment and surgery, and that there is an urgent need to carry out renovation of the ancestral house and effect partition of the ancestral property, for which, the assistance of her son, the convict prisoner, is required. Hence, the petitioner made a representation to the third respondent seeking 28 days' ordinary leave without escort for the said convict prisoner. However, the third respondent rejected the representation. Hence, the present petition.

3. The learned counsel further submitted that the convict prisoner has already undergone more than six years of his sentence. Hence, he prays that ordinary leave may be granted to the said convict prisoner.

4. The learned Additional Public Prosecutor appearing for the respondents-Police, on instructions, submitted that the convict prison was convicted for the offences under Sections 363 and 366 IPC/137 and 96



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BNS, Section 9 of Prohibition of Child Marriage Act, 2006 and Section

5(1) and 6 of Protection of Child from Sexual Offences Act, 2012. He

further submitted that the petitioner, who is the mother of the convict prisoner, had made a representation before the Jail Authorities with false facts, in order to secure leave for her son. The Probation Officer has submitted a report stating that the reasons assigned by the petitioner for seeking leave are false. Hence, based on the report of the Probation Officer, the second respondent rejected the representation made by the petitioner.

5. Heard both sides.

6. Considering the nature of the offences for which the convict

prisoner was convicted and also considering the report submitted by the Probation Officer, this Court is of the view that there is no reason to interfere with the order passed by the second respondent. Hence, this



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Court finds no merit in the writ petition. Accordingly, this Writ Petition

(Crl.) is dismissed. Consequently, connected miscellaneous petition is closed.

(P.V., J.) (M.J.R., J.)

01.12.2025

Index : Yes/No

Neutral Citation Case : Yes/No

Speaking Order : Yes/No

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To

1. The Home Secretary,
Home Department (Prison),
Secretariat, Fort St.George,
Chennai – 600 009.
2. The Deputy Inspector General of Prison,
Coimbatore Zone,
Coimbatore.
3. The Superintendent of Prison,
Central Prison,
Salem.
4. The Public Prosecutor,

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High Court, Madras.



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and
M.JOTHIRAMAN, J.,**

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