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W.P.Crl.No.757 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 04.11.2025

CORAM

THE HONOURABLE MR . JUSTICE N.SATHISH KUMAR

AND

THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

W.P.Crl.No.757 of 2025

Amul

... Petitioner

Versus

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

2. The Superintendent of Prisons
Central Prison – I
Puzhal, Chennai – 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 18.08.2025 passed by the Respondent No.2 and quashing the same and consequently direct the respondents to grant 21 days ordinary leave without escort to the petitioner's brother, namely Karthick, S/o.Jayapal, Convict No.8815, Convict Prisoner, Central Prison, Puzhal.

For Petitioner : Ms.S.Nadhiya



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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 for grant of ordinary leave to the convict prisoner Karthick, S/o.Jayapal, Convict No.8815.

2. The petitioner is the brother of the convict prisoner. It is the case of the petitioner that their father is suffering from paralysis and is not able to take care of the convict prisoner's children and he is undergoing great emotional distress.

3. The learned Additional Public Prosecutor submitted that the petitioner's request was rejected as the convict prisoner is facing trial and therefore, there is a clear bar under Section 35 of the Tamil Nadu Suspension of Sentence Rules, 1982.



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4. Considering the fact the petitioner's father is suffering from Rheumatoid arthritis, 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 18.08.2025 is set aside and the convict prisoner Karthick, S/o.Jayapal (**Convict No.8815**) is granted six days emergency leave **from 06.11.2025 to 12.11.2025** without escort. After expiry of the Emergency Leave, the convict prisoner shall surrender before the Jail Authorities on or before 10.00 am on 13.11.2025. 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.]
04.11.2025

Index: Yes/No

Neutral Citation: Yes/No

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Note: Issue order copy 05.11.2025

