



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-10-2025

CORAM

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THE HONOURABLE MRS JUSTICE J. NISHA BANU

AND

THE HONOURABLE MR.JUSTICE S. SOUNTHAR

WP Crl. No. 836 of 2025 and

WPMP Crl.No.372 of 2025

1. LAKSHMI, W/o.Annaiappan,
No.2/47, Pazhaiyur, Kalikankottai,
Rayakottai, Krishnagiri - 635 116.

Petitioner(s)

Vs

1. The State represented by its,
The Deputy Inspector General of
Prison, Coimbatore Range,
Central Prison Coimbatore,
Coimbatore - 641 018.

2.The Superintendent
Central Prison, Salem - 636 008.

Respondent(s)

PRAYER: Writ Petition filed under Article 226 of Constitution of India seeking Writ of Certiorarified Mandmus to call for the records pertaining to the vide Impugned Order No.803/Mu.Voo/2025, dated 17.07.2025, issued by the 1st respondent and quash the same and consecutively direct the respondents to grant ordinary leave of 30 days without escort to the detenue, Sakthivel S/o.Annaiappan, aged about 37 years, Convict No.9904, PID.116612 detained at Central Prison, Salem.



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For Petitioner(s): Mr.S.Manoharan

For Respondent(s): Mr.A.Gokula Krishnan
Additional Public Prosecutor

ORDER

J.NISHA BANU, J .

AND

S.SOUNTHAR, J.

This Writ Petition has been filed to quash the Impugned Order passed by the first respondent, dated 17.07.2025 bearing No.803/Mu.Voo/2025 and consequently direct the respondents to grant ordinary leave of 30 days, without escort to the detenue, Sakthivel S/o.Annaiappan, aged about 37 years, Convict No.9904, PID.116612 confined at Central Prison, Salem.

2. The petitioner herein is the mother of detenue, viz., Sakthivel and she seeks grant of 30 days of ordinary leave to her son on the ground that her husband, aged 70 years is suffering from heart decease and also aged ailments and hence, her son's support is required to take care of her husband and to mobilize funds for his medical needs. She further stated that, her son had already undergone more than 10 years of imprisonment.



3. The learned Additional Public Prosecutor produced a copy of the Probation Officer's report dated 27.06.2025, wherein, the Probation Officer has stated that the family members and the relatives of the victim and also the local village people had raised strong objections to release the petitioner on leave and therefore, he has not recommended for grant of leave.

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

5. Even though the Probation Officer has not recommended for grant of leave to the petitioner, considering the fact that the convict has already undergone more than 10 years of imprisonment, 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 10 days to the convict/petitioner with minimum escort.

6. Accordingly, the impugned order dated 17.07.2025 passed by the first respondent bearing No.803/Mu.Voo/2025/2025, is hereby quashed. Consequently, the convict viz., Sakthivel, S/o Annaiappan, aged about 37 years, Convict No.9904, PID.116612, confined at Central Prison, Salem is hereby granted ordinary leave **for a period of 10 days, with sufficient escort, commencing from 09.10.2025 to 18.10.2025.** On expiry of the leave, the



convict shall surrender before the prison authorities on **19.10.2025 before 10.00**

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.)
06-10-2025

Note: Issue order copy on or before -- 07.10.2025

Index: Yes/No

Internet: Yes

Neutral Citation: Yes/No

MST

To

1. The Deputy Inspector General of
Prison, Coimbatore Range,
Central Prison Coimbatore,
Coimbatore - 641 018.

2. The Superintendent
Central Prison, Salem - 636 008.

3. The Public Prosecutor, Madras High Court



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S.SOUNTHAR J.

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