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W.P.(CrI).No.822 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 04.12.2025

Coram:

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

W.P.(CrI).No.822 of 2025
and
W.P.M.P.(CrI).No.366 of 2025

Parveen, W/o Elango

.. Petitioner

Vs.

The State represented by its,

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

2. The Superintendent,
Central Prison, Coimbatore,
Coimbatore-641 018.

.. Respondents

Writ Petition (Criminal) filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order bearing No.907/Mu.Vu/2025, dated 14.08.2025 passed by the second respondent and quash the same and consequently direct

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the respondents to grant ordinary leave for 30 days without escort to the detenu Elango, S/o Mani, aged about 44 years, PID.No.418554, detained at Central Prison, Coimbatore.

For petitioner : Mr.S.Manoharan

For respondents: Mr.R.Muniyapparaj, Addl.PP. assisted by Mr.M.Sylvester John

ORDER

(The Order of the Court was made by P.Velmurugan, J)

This Writ Petition (Criminal) is filed praying to call for the records pertaining to the impugned order bearing No.907/Mu.Vu/2025, dated 14.08.2025 passed by the second respondent and quash the same and consequently direct the respondents to grant ordinary leave for 30 days without escort to the detenu Elango, S/o Mani, aged about 44 years, PID.No.418554, detained at Central Prison, Coimbatore.

2. Already, this Court in various cases, including in W.P.(Crl).Nos.722 of 2025, etc, dated 19.11.2025 (Sheefa Rani Vs. The Secretary to Government of Tamil Nadu, Home Department, Fort St.George, Chennai-600 009 and two others) and also in W.P.No.30216 of 2024, etc., dated 19.11.2025 (Zubaitha Begum Vs. The State represented by its Home Secretary, Prison Department (IV). St.George Fort, Secretariat, Chennai-600 009 and others), held that when



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the appeal is pending before Court, the convict prisoner is not entitled to file any leave application before the Court. Since there is enabling provision under Section 389 Cr.P.C., the petitioner can very well avail of the remedy. Hence, the Writ Petition is dismissed. Consequently, the miscellaneous petition is closed.

(P.V., J) (M.J.R., J)
04.12.2025

CS

To

1. The Deputy Inspector General of Prison (DIG),
Coimbatore Range,
Central Prison, Coimbatore,
Coimbatore-641 018.
2. The Superintendent,
Central Prison, Coimbatore,
Coimbatore-641 018.
3. The Public Prosecutor, High Court, Madras.

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P.VELMURUGAN, J

and

M.JOTHIRAMAN, J

CS

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