



WEB COPY



W.P.(Crl.) No.811 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.10.2025

C O R A M

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

AND

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.(Crl.) No.811 of 2025

and

W.P.M.P.No.363 of 2025

Vanaja,
W/o Kameshkumar

... Petitioner

-VS-

1.The State represented. by its
The Deputy Inspector General of Prison,
Puzhal Range,
Chennai.

2. The Superintendent,
Puzhal Central Prison,
Chennai.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order datd 14.08.2025 passed by the second respondent and quash the same and consequently, direct the



W.P.(Crl.) No.811 of 2025

respondents to grant ordinary leave for 30 days without escort to the
detenue, Kamesh Kumar S/o Venu, aged about 41 years, bearing PID
No.495353 confined at Central Prison-I, Puzhal.

For Petitioner : Ms.S.Sadhana

For Respondents : Mr.A.Gokulakrishnan
Addl. Public Prosecutor

ORDER

(The order of the Court was made by *J.Nisha Banu,J.*)

This Writ Petition has been filed, challenging the order dated
14.08.2025 passed by the 2nd respondent, whereby the representation of
the petitioner, seeking to grant leave to her husband / Convict Prisoner,
was rejected.

2. It is the case of the petitioner that she is the wife of the Life
Convict, namely, Kamesh Kumar S/o Venu, aged about 41 years, bearing
PID No.495353 and her husband has been undergoing life imprisonment in
connection with the judgment dated 22.08.2014 passed in S.C.No.195 of
2009 by the learned Sessions Judge, Mahila Court, Chengalpet. The
representation dated 26.04.2025 given by the petitioner for grant of 30 days
leave to her husband was rejected by the 2nd respondent, vide order
impugned herein. It is the further case of the petitioner that she is staying in



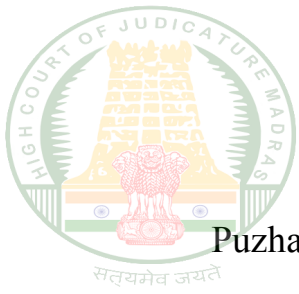
W.P.(CrL) No.811 of 2025

mother-in-law's house and taking care of her in-laws. Her mother in law wishes to see her son/convict atleast for some day and she is also taking fertility treatment. Hence, the presence of her husband is necessary for her mother-in-law and herself and to arrange funds for the livelihood of the family. Her husband is inside the jail for more than three years. The rejection of leave application is violative of Articles 14 and 21 of the Constitution of India.

3. Learned Additional Public Prosecutor has stated that the petitioner's husband is inside prison for the past 3 years and 2 months. However, he would state that the convict has availed 3 days emergency leave from 05.07.2025 to 09.07.2025 and hence, objected for grant of leave.

4. Considering the fact that the convict is inside prison for more than 3 years and that he has to make arrangements for the livelihood of his family, we are inclined to grant ordinary leave for a period 15 days without escort to the Convict.

5. Accordingly, we direct the respondents to grant ordinary leave to the petitioner's husband / Life Convict, namely, Kamesh Kumar S/o Venu, aged 41 years, PID No.495353, confined in the Central Prison-I,



W.P.(Crl.) No.811 of 2025

Puzhal, for a period of 15 days *from 10.10.2025 to 25.10.2025* (by

excluding the day on which the Convict is released from the prison)

without escort, subject to the usual / other conditions that may be imposed

by the respondents. The convict shall report before the jurisdictional Police

i.e. S-6, Shankar Nagar Police Station, on every Monday and Friday at

10.00 a.m. The Convict shall return back to the prison on or before

05.00 p.m. on 25.10.2025.

6. This Writ Petition is disposed of accordingly. No costs.

Consequently, connected miscellaneous petition is closed.

(J.N.B.J.) (S.S.J.)
08.10.2025

vsi

Note: Issue order copy on 09.10.2025

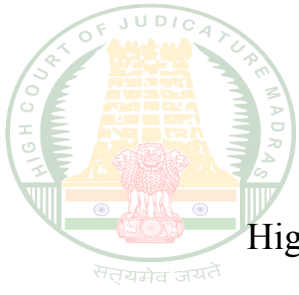
To

1. The Deputy Inspector General of Prison,
Puzhal Range,
Chennai.

2. The Superintendent,
Puzhal Central Prison,
Chennai.

3. The Public Prosecutor,

4 / 6



High Court, Chennai.

WEB COPY



W.P.(CrL) No.811 of 2025



WEB COPY



W.P.(Crl.) No.811 of 2025

J.NISHA BANU, J.
AND
S.SOUNTHAR, J.

vs1

W.P.(Crl.) No.811 of 2025

08.10.2025