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WPMP CrI. No. 426 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-10-2025

CORAM

**THE HONOURABLE MRS JUSTICE J. NISHA BANU
AND
THE HONOURABLE MR.JUSTICE S. SOUNTHAR**

**W.P.M.P. CrI. No. 426 of 2025
in W.P.CrI.No.30523 of 2024**

1. Rahmathulla Khan
S/o.Jalaludeen, No.19, Santhai
Gnaniyarappa Nagar, 7th street,
melpalayam, Tirunelveli - 627 005.
Tirunelveli District.

Appellant(s)

Vs

1. The State of Tamilnadu Rep. by its
Secretary,
Home Department, Fort St.George,
Chennai - 600 009.

2.The Superintendent of Central Prison,
Central Prison Palayamkottai,
Tirunelveli District.

Respondent(s)

**PRAYER**

This Miscellaneous Petition is filed under Article 226 of the Constitution of India to extend the ordinary leave for three more months from 08/10/2025 to 08/01/2026, granted in G.O.No.474 dated 08/07/2025 till 08/10/2025, pending disposal of the above writ petition in W.P.No.30523/2024.

For Appellant(s): Mr. R.Sankarasubbu

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

ORDER

J. NISHA BANU, J.

and

S. SOUNTHAR, J.

The present Miscellaneous Petition has been filed to extend the ordinary leave already granted to the Convict Prisoner, namely, Saddiq @ Khan @ Rahmathullahkhan, S/o.Jalaludeen, PID No.17943.

2. The second respondent herein, vide order dated 13.1.2025, had already granted ordinary leave for a period of three months to the petitioner from 08.01.2025 till 09.04.2025.

3. The learned Additional Public Prosecutor submitted that the premature release process was on its last limb based on the orders passed by the Hon'ble Supreme Court in the case of *Sikkander Vs. The State and Others, Special*



Leave to Appeal (Crl) No.12784 of 2022. Thereafter, the petitioner had filed a petition for extension of the ordinary leave and this Court, vide order dated 04.04.2025, extended the ordinary leave for a period of three months from 10.04.2025 till 10.07.2025. Subsequently, the Government through G.O.(D) No.474, dated 07.07.2025 had extended the ordinary leave for a further period of three months commencing from 08.07.2025.

4. The learned Additional Public Prosecutor further submitted that the Government is considering the matter positively for premature release of the convict and further orders have not been passed so far.

5. In view of the above facts and also taking note of the fact that the ordinary leave expires on 07.10.2025, this Court is inclined to extend the ordinary leave for another period of three months. Accordingly, the ordinary leave already granted to the petitioner/ convict prisoner is extended for a further period of three months commencing **from 07.10.2025 till 06.01.2026.**

6. Accordingly, this Miscellaneous Petition stands allowed.

(J.NISHA BANU J.) (S.SOUNTHAR J.)

06-10-2025

ASI

Note: Issue order copy on 06.10.2025.



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- To
1. The Secretary,
Home Department, Fort St.George,
Chennai - 600 009.
 2. The Superintendent of Central Prison,
Central Prison Palayamkottai,
Tirunelveli District.
 3. The Public Prosecutor,
High Court of Madras, Chennai.



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

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