



W.P.Crl.No.1127 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.11.2025

CORAM

**THE HONOURABLE MR JUSTICE N. SATHISH KUMAR
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

W.P.Crl.No.1127 of 2025

S.Marimuthu
S/o.Shanmugavel, P.I.D.No.29731,
C.T.No.17260, Central Prison,
Cuddalore - 607 004.

Petitioner(s)

Vs

1. The Government of Tamil Nadu,
represented by its Secretary to Government,
Home (Prison IV) Department,
Fort St.George, Chennai - 600 009.

2.The Deputy Inspector General of Prisons,
Thalamuthu Natarajan Maaligai,
2nd Floor, Gandhi Irwin Road,
Egmore, Chenna - 600 008.

3.The Superintendent of Central Prison,
Central Prison,
Cuddalore - 607 004.

Respondent(s)



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Writ Petition (Criminal) filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records of the third respondent in his proceedings No.1141226-Tha.Ku.2/2025 dated 20.06.2025 and quash the same and consequently direct respondents to grant ordinary leave of 30 days to the petitioner by considering his representation dated 19.06.2025.

For Petitioner(s) : Mr.S.Lal Devasagayam

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

ORDER

(made by N.Sathish Kumar, J.)

The present writ petition (criminal) has been filed calling for the records of the third respondent in his proceedings No.1141226-Tha.Ku.2/2025 dated 20.06.2025 and quash the same and consequently direct respondents to grant ordinary leave of thirty days to the petitioner by considering his representation dated 19.06.2025.

2. It is the case of the petitioner that he is a Life Convict and he is



undergoing life imprisonment in the Central Prison, Cuddalore; in order to renovate his house and to arrange money for his children's education, he gave representation to the third respondent on 19.06.2025 to grant thirty days ordinary leave; without considering the same, the third respondent has passed an order dated 20.06.2025 rejecting the ordinary leave sought by him, challenging which, he has preferred the present petition.

3. The learned counsel appearing for the petitioner would submit that the petitioner has completed total imprisonment of six years and four months and therefore, he is entitled to twenty eight days ordinary leave.

4. The learned Additional Public Prosecutor, on instructions, would submit that the petitioner has already availed twenty one days leave from 22.01.2025 to 11.02.2025. Therefore, according to him, as per Rule 22(2)(b) of the Tamil Nadu Suspension of Sentence Rules, 1982 (for brevity “the TNSOS Rules), a prisoner is maximum entitled to twenty eight days ordinary leave, when he served the sentence of six years. Since the petitioner has already availed twenty one days ordinary leave, at the most, he is entitled to the remaining seven days ordinary leave only.



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5. We also perused Rule 22 of the TNSOS Rules. As per Rule 22 (2)(b), the prisoner, who completed imprisonment exceeding five years not more than fourteen years is entitled to only forty days ordinary leave per year. As the petitioner has already availed leave for twenty one days, we cannot once again insist for grant of thirty days ordinary leave.

6. In such view of the matter, we are inclined to grant the remaining seven days ordinary leave, for which, the petitioner is entitled to.

7. Accordingly, the impugned order dated 20.06.2025 passed in proceedings No.1141226-Tha.Ku.2/2025 is set aside and the convict prisoner S.Marimuthu, S/o.Shanmugavel, P.I.D.No.29731, C.T.No.17260, detained at the Central Prison, Cuddalore, is granted seven days ordinary leave **from 17.11.2025 to 23.11.2025** without escort with a condition that the convict prisoner shall report before the jurisdictional police station *i.e.* Tirunelveli Town Police Station, Tirunelveli, daily at 10.30 a.m. After expiry of the ordinary leave, the convict prisoner shall surrender before the prison authorities on or before **10.00 a.m. on 24.11.2025**. The convict prisoner shall utilize the leave only for the purpose, for which, it has been



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granted and shall not indulge in any other activities.

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With the above directions, this writ petition (criminal) stands disposed of.

(N.S.K., J.) (M.J.R., J.)

10.11.2025

nsd

Note: Issue order copy on 13.11.2025

To

1.The Secretary to Government,
Home (Prison IV) Department,
Fort St.George, Chennai - 600 009.

2.The Deputy Inspector General of Prisons,
Thalamuthu Natarajan Maaligai,
2nd Floor, Gandhi Irwin Road,
Egmore, Chenna - 600 008.

3.The Superintendent of Central Prison,
Central Prison,
Cuddalore - 607 004.

4.The Inspector of Police,
Tirunelveli Town Police Station,
Tirunelveli.

5.The Public Prosecutor
Madras High Court, Chennai – 600 104



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and
M.JOTHIRAMAN, J.

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