



WEB COPY

WP CrI. No. 1134 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-10-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

AND

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

W.P. CrI. No. 1134 of 2025

and W.P.M.P.No.541 of 2025

1. Selvam

S/o.Chinnapaiya Gounder, Salem

Central Prison, Salem - 636 007.

Appellant(s)

Vs

1. The State represented by its

The Director Inspector General of

Prison, Coimbatore Range, Coimbatore

Central Prison, Coimbatore - 641 018.

2.The Superintendent,

Salem Central Prison, Salem - 636 007.

Respondent(s)

PRAYER

The Writ Petition has been filed under Article 226 of the Constitution of India to for the issuance of a Writ of Certiorarified Mandamus calling for the records pertaining to the Impugned Order bearing No.11101/ta.u3/2024 dated



25.03.2025, passed by the 2nd respondent and quash the same and consecutively direct the 2nd respondent to consider petitioner's sister representation and grant ordinary leave for 28 days without escort to the detenu, Selvam S/o.Chinnapaiya Gounder, aged about 43 years PID No.21058, detained at Central Prison, Salem.

For Appellant(s): Mr. P.Bakiyaraj

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

ORDER

(Order of the Court was made by N.SATHISH KUMAR, J.)

Challenging the order of refusal to grant ordinary leave to the petitioner / convict, namely, Selvam S/o.Chinnapaiya Gounder, aged 43 years, PID NO.21058, confined at Central Prison, Salem, citing the ground that the convict is undergoing sentence under Sections 396 and 450 of I.P.C and on account of the statutory bar under Rule 21(b) of the Tamil Nadu Suspension of Sentence Rules, 1982, the present Writ Petition has been filed.

2. The learned counsel for the petitioner submits that under Rule 22 of the Tamil Nadu Suspension of Sentence Rules, 1982, the petitioner, who completed 10 years of imprisonment, is entitled to 28 days ordinary leave, whereas he has availed only 10 days. He further submits that the petitioner has so far undergone 11 years and 5 months of imprisonment.



3. The learned Additional Public Prosecutor produced a copy of the Probation Officer's report dated 27.10.2025, wherein reasons assigned by the petitioner were found to be genuine. The Probation Officer has recommended the grant of leave, having stated that the petitioner's mother is suffering from serious illness.

4. Though there exists a statutory bar under Rule 21(b) of the Tamil Nadu Suspension of Sentence Rules, 1982, the report of the Probation Officer clearly indicates that the petitioner's mother is suffering from serious illness. Further, no adverse case whatsoever was brought against the convict by the Police.

5. Considering the fact that the life convict has undergone imprisonment for more than 11 years, we are inclined to grant ordinary leave for 15 days to the convict. Accordingly, the convict viz., **Selvam, S/o.Chinnapaiya Gounder**, Convict PID No. 21058, confined at Central Prison, Salem, is hereby granted ordinary leave for a period of 15 days, **without escort**, commencing **from 31.10.2025 to 14.11.2025**. The convict shall be released from the prison on 31.10.2025 at 10.00 a.m. and he shall return back to the prison on or before 05.00 p.m of 14.11.2025. During the period of leave, the prisoner shall report before the **Inspector of Police, Omalur Police Station, daily at 10.30 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 illegal activities.



6. Accordingly, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

(N.SATHISH KUMAR J.) (M.JOTHIRAMAN J.)
30-10-2025

ASI

Note: Issue order copy on 30.10.2025

To

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

2.The Superintendent,
Salem Central Prison,
Salem - 636 007.

3. The Inspector of Police,
Omalur Police Station, Salem.

4. The Public Prosecutor,
High Court of Madras, Chennai.



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