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W.P.Crl.No.1239 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.12.2025

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

W.P.Crl.No.1239 of 2025

Raman

... Petitioner

Vs.

1. The Deputy Inspector of Prisons,
Ramsait Nagar, Thorapadi,
Vellore, Tamil Nadu – 632 002.
2. The Superintendent of Prisons,
Vellore Central Prison,
Vellore.

... Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, praying to issuance of Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order bearing vide No.CP-VLR/1523/2025-R3(ASST) dated 04.09.2025, passed by the 2nd respondent and quash the same and consequently direct the respondents



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to grant ordinary leave for 30 days without escort to the detenu, Raman
Son of Narayanan convict prisoner, bearing PID No.362520 at Vellore
Central Prison, Vellore.

For Petitioner : Ms.S.Sujatha

For Respondents : Mr.R.Muniyapparaj,
Additional Public Prosecutor,
assisted by Mr.M.Sylvester John

ORDER

[Order of the Court was made by P.VELMURUGAN, J.,]

This Writ Petition has been filed challenging the impugned order dated 04.09.2025 in No.CP-VLR/1523/2025-R3(ASST) passed by the second respondent and seeking a consequential direction to the second respondent to grant 30' days ordinary leave without escort to the detenu, Raman, son of Narayanan, convict prisoner, PID No.362520 at the Central Prison, Vellore.



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2. The petitioner was convicted for the offences under Section

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376AB IPC and Section 6 read with 5(m) of POCSO Act, 2012 and sentenced to undergo life imprisonment with a fine of Rs.1,00,000/-, in default, to undergo one year simple imprisonment, in Spl.S.C.No.59 of 2021 on the file of the XIV Sessions Judge, Special Court for Exclusive Trial of Cases under the POCSO Act, Tiruvannamalai on 14.06.2023. It is the grievance of the petitioner that his mother suffering from high blood pressure, diabetes, breathing difficulty and chest pain and has been advised to be admitted as an in-patient, but, lacks financial support and assistance. The petitioner and his brother intend to sell their late father's property to meet her medical expenses and therefore, he sought 30 days' ordinary leave. According to the petitioner, having undergone 1 year and 9 months of imprisonment, he is eligible for ordinary leave under Rule 22 of the Tamil Nadu Suspension of Sentence Rules, 1982 and the second respondent erred in rejecting his representation.



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3. The learned Additional Public Prosecutor appearing for the respondents-Police submitted that as per Section 22 (1)(c) of the Tamil Nadu Prison Manual, a life convict, who has not completed three years of imprisonment is not eligible to apply for ordinary leave. Since the petitioner has not satisfied the said requirement, the second respondent has rightly rejected his representation.

4. Heard both sides and perused the materials available on record.

5. A perusal of the records reveals that the petitioner was convicted for the offences under Section 376AB IPC and Section 6 read with 5(m) of POCSO Act, 2012, and sentenced to life imprisonment. As he has not completed three years of imprisonment, he is not eligible to apply for ordinary leave in terms of Section 22 (1)(c) of the Tamil Nadu Prison Manual. Therefore, this Court finds no infirmity or perversity in the impugned order passed by the second respondent. In view of the specific



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bar under Rule 22 of the Tamil Nadu Suspension of Sentence Rules,

1982, the petitioner is not eligible to apply for ordinary leave at this stage.

6. Accordingly, the Writ Petition stands dismissed.

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

05.12.2025

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To

1. The Deputy Inspector of Prisons,
Ramsait Nagar, Thorapadi,
Vellore, Tamil Nadu – 632 002.
2. The Superintendent of Prisons,
Vellore Central Prison,
Vellore.
3. The Public Prosecutor,
High Court, Madras.



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and
M.JOTHIRAMAN, J.,**

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