



W.P.M.P.Crl.No.585 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 04.11.2025

CORAM

THE HONOURABLE MR . JUSTICE N.SATHISH KUMAR

AND

THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

W.P.M.P.Crl.No.585 of 2025

&

W.P.(Crl.) No.682 of 2025

Mrs.Amutha

... Petitioner

Versus

1. The Government of Tamil Nadu
Rep. by its Secretary to Government
Home[Prison-IV] Department
Fort St.George, Chennai -9
2. The Additional Director of General of Prisons
Thalamuthu Natarajan Maaligai
2nd Floor, Gandhi Irwin Road
Egmore, Chennai - 8
3. The Superintendent of Prison
Central Prison at Coimbatore
Gandhipuram, Coimbatore - 641 018

... Respondents

Prayer:- Writ Miscellaneous Petition filed under Article 226 of the



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Constitution of India to grant ordinary/emergency leave for 15 days without escort to the petitioner's son Mr.Kurinji@ Kurinjinathan,son of Ondiyappan, aged about 30 days in order to undergo heart surgery in a private hospital, pending disposal of the writ petition.

For Petitioner : Mr.Jeremiah
Mr.D.Krishnamoorthy

For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

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

The petitioner seeks for the grant of ordinary/emergency leave for 15 days on medical ground.

2. The learned counsel for the petitioner submitted that the convict prisoner Kurinji @ Kurinjinathan is suffering from heart ailment and needs to undergo heart surgery in a private hospital for better facility and care and therefore, the petitioner seeks for ordinary/emergency leave for her son / convict prisoner.



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3. The learned Additional Public Prosecutor submitted that the convict prisoner has not completed two years of imprisonment and hence, he is not eligible for the grant of leave as per Rule 22 (1)(b) of the Tamil Nadu Suspension of Sentence Rules, 1982.

4. We perused the entire materials on records.

5. It is seen that on an earlier occasion, this Court has granted 6 days emergency leave to the convict prisoner from 01.08.2025 to 06.08.2025 with minimum escort. Now the petitioner once again seeks 6 days emergency leave on medical ground. The learned Additional Public Prosecutor is also not disputing that the convict prisoner is suffering from heart ailment. As per Rules 6 and 13 of the Tamil Nadu Suspension of Sentence Rules, 1982, the maximum emergency leave that could be availed by a convict prisoner is 15 days in a year and the first spell of emergency leave should not exceed 6 days and for the subsequent spells, 3+3+3 days leave alone can be considered.



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6. In such view of the matter, the convict prisoner Kurinji @ Kurinjinathan, S/o.Ondiyappan, male, aged about 33 years, is granted three days emergency leave from 06.11.2025 to 09.11.2025 without escort. After the expiry of the emergency leave, the convict prisoner shall surrender before the Jail Authorities on 10.11.2025 at 10.00am. The convict prisoner shall utilize the leave only for the purpose for which it has been granted and shall not indulge in any other activities.

With the above direction, this writ miscellaneous petition stands allowed. There shall be no order as to costs.

[N.S.K.,J.] [M.J.R.,J.]
04.11.2025

Index: Yes/No

Neutral Citation: Yes/No

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Note: Issue order copy on 05.11.2025



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To
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2nd Floor, Gandhi Irwin Road
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- 4.The Public Prosecutor
High Court, Madras.



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