



W.P.(Crl).No.1259 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 04.12.2025

Coram:

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

W.P.(Crl).No.1259 of 2025
and
W.P.M.P.(Crl).No.600 of 2025

Prema, W/o Rajangam

.. Petitioner

Vs.

1. The Home Secretary,
Home Department (Prison),
Secretariat,
Fort St.George,
Chennai-600 009.
2. The Inspector General of Prisons,
Prison Head Quarters,
Egmore, Chennai-600 008.
3. The Superintendent of Prison,
Central Prison-I,
Puzhal, Chennai-600 066.

.. Respondents

Page No.1/7



WEB COPY

Writ Petition (Criminal) filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus to call for the records relating to the proceedings in No.CP-PU1/3010/2025-R2, dated 07.10.2025 by the third respondent and quash the same and consequently direct the third respondent to grant 28 days ordinary leave without escort to the petitioner's son Chiranjeevi, S/o Rajangam (Convict No.7492/PID No.44870) who is presently confined in Central Prison-I, Chennai.

For petitioner : Mr.P.M.Basil

For respondents : Mr.R.Muniyapparaj, Addl.P.P.
assisted by Mr.M.Sylvester John

ORDER

(The Order of the Court was made by P.Velmurugan, J)

The petitioner has filed the present Writ Petition praying for issuance a Writ of Certiorarified Mandamus to call for the records relating to the proceedings in No.CP-PU1/3010/2025-R2, dated 07.10.2025 by the third respondent and quash the same and consequently direct the third respondent to grant 28 days



ordinary leave without escort to the petitioner's son Chiranjeevi, S/o Rajangam
(Convict No.7492/PID No.44870) who is presently confined in Central Prison-I,
Chennai.

2. Learned Additional Public Prosecutor appearing for respondents submitted that the petitioner has already filed a Writ Petition in W.P.(Crl).No.801 of 2025 before this Court for the same reasons, which was dismissed on 15.09.2025 and the representation made before the respondents, was also rejected on the ground that the petitioner is not eligible for the relief, since he was convicted under Section 8(c) read with Section 20(b)(ii)(C) and 8(c) read with Section 28 of the NDPS Act and was sentenced thereunder. Further, under Rule 21(h)(3) of the Tamil Nadu Suspension of Sentence Rules, 1982, as amended by G.O.(Ms).No.205, Home (Prison-V) Department, dated 25.04.2022, the detenu is not eligible for the relief sought for. It is also brought to the notice of this Court that as per Section 32-A of the NDPS Act, the prisoners convicted under the NDPS Act, are not eligible for any suspension, remission or commutation of sentence. However, the petitioner has suppressed the writ



WEB COPY

petition earlier filed, which was dismissed and hence, the present Writ Petition is not maintainable for suppression of material facts. A person has to approach a Court with clean hands and if not, he/she is not entitled for the necessary relief being sought for.

3. Hence, for the above reasons, the petitioner is not entitled for the relief sought for in the present Writ Petition and the same is accordingly dismissed.

(P.V., J) (M.J.R., J)
04.12.2025

CS

To

1. The Home Secretary,
Home Department (Prison),
Secretariat, Fort St.George,
Chennai-600 009.
2. The Inspector General of Prisons,
Prison Head Quarters,
Egmore, Chennai-600 008.
3. The Superintendent of Prison,
Central Prison-I,

Page No.4/7



Puzhal, Chennai-600 066.

4. The Public Prosecutor, High Court, Madras.

WEB COPY



WEB COPY



P.VELMURUGAN, J

and

M.JOTHIRAMAN, J

CS

W.P.(CrI).No.1259 of 2025

Page No.6/7



WEB COPY



04.12.2025

Page No.7/7