



W.P.(CrI).No.1646 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 11.12.2025

Coram:

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

W.P.(CrI).No.1646 of 2025
and
W.P.M.P.(CrI).No.774 of 2025

S.Veembu, W/o Senthilkumar

.. Petitioner

Vs.

1. The Deputy Inspector General of Prisons
Vellore Range
vellore - 632 002

2. The Superintendent of Prisons
Central Prison, Cuddalore - 4

.. Respondents

Writ Petition (Criminal) filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus to call for the records No.RO/VLR/801/2025-CAMP(A) dated 03.12.2025, passed by the respondent No.1, and quash the same and consequently direct the respondents to grant 20 days ordinary leave to the petitioner's husband S.Senthilkumar S/o.Selvaraj, aged 48 years, Convict Prisoner No.14681, (PID 1031) now confined in the Central Prison, Cuddalore.

For petitioner : Mr.P.Pugalenth

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



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ORDER

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

The petitioner has filed the present petition seeking to issue a Writ of Certiorarified Mandamus to call for the records No.RO/VLR/801/2025-CAMP(A) dated 03.12.2025, passed by the respondent No.1, and quash the same and consequently direct the respondents to grant 20 days ordinary leave to the petitioner's husband S.Senthilkumar S/o.Selvaraj, aged 48 years, Convict Prisoner No.14681, (PID 1031), now confined in the Central Prison, Cuddalore.

2. The learned counsel for the petitioner would submit that the petitioner is entitled for 40 days leave. Earlier, the petitioner's husband filed an application before this Court and availed leave for 20 days from 19.09.2025 to 06.10.2025. Now, the petitioner's son's marriage is scheduled to be held on 15.12.2025. Hence, the petitioner had filed an application before the prison authority seeking 20 days ordinary leave to her husband, who is a life convict prisoner, but the prison authority rejected the same by passing the impugned order dated 03.12.2025 stating that the life convict prisoner has been convicted for the offence under Section 150(2)(b) of the Railway Act-, which falls under the Central Act, and hence the prison authority has no power to grant such leave. Hence, the present petition is filed.



3. In this case, the convict prisoner is in prison for more than 14 years and now his wife the petitioner herein seeks leave only to attend his son's marriage.

4. Earlier, the petitioner had approached this Court and this Court, relying on the judgment of the Hon'ble Supreme Court reported in (2000) 8 SCC 437, *had granted leave to the petitioner's husband. Even though the same is not strictly applicable to the case of the convict prisoner, considering the reason stated by the petitioner, by exercising power under Article 226 of the Constitution of India, without expressing any of the view on the impugned order, this Court is inclined to grant 10 days leave to the life convict prisoner.*

5. Accordingly, leave for a period of 10 days without escort, is granted to the petitioner's husband/life convict, namely S.Senthilkumar S/o.Selvaraj, aged 48 years, Convict Prisoner No.14681, (PID 1031), now confined in Central Prison, Cuddalore, commencing from 12.12.2025 to 21.12.2025, with a condition that the life convict shall report before the jurisdictional police i.e.Virudhachalam Police Station, every day at 10.30 a.m. except on 15.12.2025, the date of marriage.

6. After expiry of the ordinary leave, the life convict shall surrender before the Prison authority on 22.12.2025 before 10.00 a.m. It is made clear that the convict prisoner shall utilize the leave only for the purpose for which it has been granted and shall not indulge in any other unlawful activities. If any violation, the



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leave granted to the convict prisoner shall stand cancelled automatically without any further reference to this Court.

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7. With the above directions, this Writ Petition stands disposed of. Consequently connected miscellaneous petition stands closed.

(P.V., J) (M.J.R., J)
11.12.2025

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Note: Issue order copy on 11.12.2025



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To

1. The Deputy Inspector General of Prisons
Vellore Range
vellore - 632 002
2. The Superintendent of Prisons
Central Prison, Cuddalore - 4
3. The Public Prosecutor, High Court, Madras.



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P.VELMURUGAN, J

and

M.JOTHIRAMAN, J

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