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W.P.Crl.No.1787 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.12.2025

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR. JUSTICE P.DHANABAL

W.P.Crl.No.1787 of 2025

Mrs.Mahalakshmi

... Petitioner

Vs.

1. The State rep. By its
The Deputy Inspector General of Prison
Chennai Range
Gandhi Irwin Road, Egmore
Chennai -9

2. The Superintendent of Prison
Central Prison at Puzhal -I
Chennai – 600 066

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus to call for the records pertaining with Proceedings No.4006/ta.ku.2/2025 dated 22.11.2025 passed by the second respondent , quash the same and consequently direct the respondents to grant 21 days leave without escort to the husband of the petition/convict, namely Mr.Krishnan, S/o.Narayanan (CT No.8275) PID No.308727.



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For Petitioner : Mr.M.Mohamed Saifulla
For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

(Order of the Court was made by **S.M.SUBRAMANIAM, J.**)

The impugned order dated 22.11.2025 granting Ordinary Leave to the prisoner for 21 days with escort came to be challenged in the present writ proceedings.

2. The learned counsel for the petitioner would submit that the prisoner is in prison for about five years without any adverse conduct and is maintaining good conduct inside the prison. The learned counsel submits that though the prison authorities granted ordinary leave for 21 days, they have imposed two conditions viz., to execute the bond as well as with escort. According to learned counsel, the prisoner is ready to execute the bond but the leave granted with escort may cause discomfort to him and to his family members and therefore, the present writ petition has been filed seeking modification of the condition viz., granting leave with escort.



3. The learned Additional Public Prosecutor would oppose by stating that though the prisoner is undergoing imprisonment for the past five years without any adverse conduct, as the leave has been granted for the first time, the Authorities have granted leave with escort.

4. This Court has considered the rival submissions made between the parties.

5. Considering the fact that the prisoner is in prison for about five years and has not previously committed any prison offence or misconduct inside the prison and also the fact that the prisoner has not availed any leave and continuously in prison, granting the leave with escort is unnecessary and he may not be able to spent time with his family in a peaceful manner. This being the factum, this Court is inclined to relax the condition in respect of providing escort while availing the ordinary leave for 21 days.

6. Accordingly, the impugned order stands modified by deleting the condition regarding the providing of escort while availing the 21 days of ordinary leave. However, the prisoner shall execute the bond as stated in the impugned order. The convict prisoner shall report before the H3, Thandaiyarpur Police Station, Chennai-21 on alternate days at 11.00am.



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With the above direction, this writ petition stands allowed.

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(S.M.S., J.) (P.D.B., J.)
26.12.2025

Internet : Yes/No
Index : Yes / No
Speaking Order / Nonspeaking order
Neutral Citation : Yes / No
gpa

To

The Deputy Inspector General of Prison
Chennai Range
Gandhi Irwin Road, Egmore
Chennai -9

2. The Superintendent of Prison
Central Prison at Puzhal -I
Chennai – 600 066

3. The Public Prosecutor
Madras High Court
Chennai-104



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S.M.SUBRAMANIAM, J.
and
P.DHANABAL, J.

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