



W.P(MD) No.2166 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 29.01.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MS.JUSTICE R.POORNIMA**

W.P(MD) No.2166 of 2025

Selvam

... Petitioner

Vs

- 1.The State rep. by its,
The Deputy Inspector General of Prison,
Office of the Deputy Inspector General of Prison,
Trichy Range, Race Course Road,
Trichy District-620 023.
- 2.The Superintendent of Prison,
Central Prison at Trichy,
Trichy-620 020.
- 3.The Superintendent of Police,
Kanyakumari District,
Nagercoil.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents 1 & 2 to extend the ordinary leave for a period of further three months without escort to him / convict namely, Mr.Selvam son of



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Chinnathurai by considering the petitioner's representation dated 07.01.2025.

For Petitioner : Mr.A.Joseph Jerry

For Respondents : Mr.T.Senthil Kumar,
Additional Public Prosecutor.

ORDER

(Order of the Court was made by **G.R.SWAMINATHAN, J.**)

Heard the learned counsel on either side.

2. The petitioner is in prison for more than 27 years. He was granted ordinary leave in the year 2023.

3. The learned counsel for the petitioner states that when this Court granted leave in W.P.(MD)No.27137 of 2024 with escort, it clarified that it did not mean that the petitioner shall be confined in his house. The petitioner's counsel states that since similar observation was not made in the present order dated 18.12.2024 in W.P.(MD)No.30139 of 2024, the escort police confined the petitioner to his house. This allegation is vehemently denied by the learned Additional Public Prosecutor.



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4.We are of the view that the petitioner cannot make this ground at the fag end of the leave period. Be that as it may, taking this case as special exception, we direct the extension of the petitioner's leave period by two more days. It shall be treated as emergency leave. The petitioner is at liberty to visit his parents and the duty of the escort police is only to accompany the petitioner wherever he goes. His movements shall not be curtailed. The petitioner shall be brought back to the prison on 02.02.2025 at 06:00 pm.

5.The Writ Petition is disposed of. No costs.

(G.R.S., J.) (R.P., J.)
29.01.2025

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
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NOTE:Issue Order Copy on 29.01.2025



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To

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- 3.The Superintendent of Police,
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Nagercoil.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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