



W.P.CRL(MD)No.77 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 23.06.2025

CORAM:

**THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA
and
THE HONOURABLE MS.JUSTICE R.POORNIMA**

**W.P.CRL(MD)No.77 of 2025
and
WPMP CrI.(MD)No.9 of 2025**

P.Rajakumari

... Petitioner

vs.

1. The State of Tamil Nadu,
Rep. by the Principal Secretary to Government,
Home, Prohibition and Excise (Prison IV) Department,
Secretariat, Fort St. George,
Chennai-600 009.

2. The Deputy Inspector General of
Prisons and Correctional Services,
Trichy Range, Race Course Road,
Trichy-620 023.

3. The Superintendent of Prison,
O/o. Central Prison,
Trichy-620 020.

4. The Superintendent of Police,
O/o. The Superintendent of Police,
Ariyalur District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records



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relating to the impugned order passed by the 2nd respondent vide proceedings in No.RO.TRY/198/2025-CA Dated 20.05.2025 and quash the same as illegal and consequently direct the respondents to grant 21 days ordinary leave without police escort to the petitioner's husband namely, Periyasamy, S/o.Rayar, Convict Prisoner, PID No.123368 confined at Central Prison, Trichy.

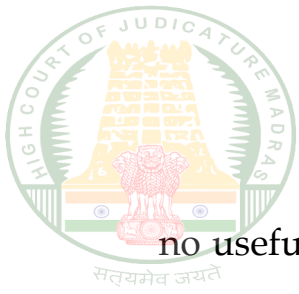
For Petitioner : Mr.K.A.S.Prabhu
For Respondents: Mr.A.Thiruvadi Kumar
Additional Public Prosecutor

ORDER

[Order of the Court was made by **A.D.JAGADISH CHANDIRA, J.**]

Challenging the order passed by the 2nd respondent dated 20.05.2025, granting 21 days of ordinary leave to the petitioner's husband / convict prisoner with escort, this writ petition is filed to quash the same, with a consequential direction to the respondents to grant such leave without escort.

2. The learned counsel for the petitioner would submit that when the petitioner's husband was on bail during trial for three years, no untoward incident had been reported during that period and therefore,



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no useful purpose would be served in driving the convict prisoner to go on ordinary leave with escort. Therefore, the learned counsel would pray for setting aside the condition in the impugned order with regard to escort during the leave period.

3. The learned Additional Public Prosecutor who takes notice for the respondents, submitted that the Probation Officer had strongly objected for granting ordinary leave to the petitioner's husband citing previous enmity and law and order problem in the event of the convict prisoner coming out on leave. However, considering the request of the petitioner, the 2nd respondent has passed the impugned order granting ordinary leave with escort. Therefore, there is no infirmity in the same warranting interference by this Court.

4. Though the learned Prosecutor attempted to justify the impugned order granting ordinary leave with escort, citing previous enmity and law and order problem as stated in the report of the Probation Officer, considering the submission made by the counsel for petitioner that when the convict prisoner was on bail during trial for



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three years, no untoward incident had been reported to the police, we are inclined to modify the impugned order to the effect that the convict prisoner shall be granted ordinary leave for 21 days without escort, on the following conditions:

(i) The convict prisoner namely, Periyasamy, son of Rayar (Convict PID No.123368) now detained in the Central Prison, Trichy, is granted ordinary leave for 21 days from 27.06.2025 to 17.07.2025, without escort.

(ii) The convict prisoner shall be released from the Prison at 5.00 p.m on 26.06.2025 and he shall return back to the Prison at 10.00 a.m on 18.07.2025.

(iii) During the said leave period, the convict prisoner shall report before the Inspector of Police, Irumbulikulurichi Police Station, Ariyalur District, daily at 07.00 p.m., from 27.06.2025 onwards without fail.

(iv) During the leave period, the convict prisoner shall abide by all the conditions prescribed in the Jail Manual.



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5. With the above direction, the Writ Petition stands allowed.

No costs. Consequently, connected miscellaneous petition is closed.

[A.D.J.C., J.] [R.P., J.]
23.06.2025

Index : Yes / No

Neutral Citation : Yes / No

Note to Registry:

Issue order copy on 25.06.2025.

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To:

1. The Principal Secretary to Government,
State of Tamil Nadu,
Home, Prohibition and Excise (Prison IV) Department,
Secretariat, Fort St. George,
Chennai-600 009.

2. The Deputy Inspector General of
Prisons and Correctional Services,
Trichy Range, Race Course Road,
Trichy-620 023.

3. The Superintendent of Prison,
O/o. Central Prison,
Trichy-620 020.



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4. The Superintendent of Police,
O/o. The Superintendent of Police,
Ariyalur District.

5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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A.D.JAGADISH CHANDIRA, J.
AND
R.POORNIMA, J.

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ORDER MADE IN
W.P.CRL(MD)No.77 of 2025
DATED : 23.06.2025