



W.P.Crl.(MD)No.92 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 09.06.2025

CORAM:

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

W.P.Crl(MD)No.92 of 2025

N.Dhanalakshmi

... Petitioner

vs.

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

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

3.The Superintendent of Police,
O/o.The Superintendent of Police,
Thanjavur 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 relating to the impugned order passed by the first respondent vide proceedings in No. 117/Mu.Vu/2025 dated 23.02.2025 and quash the same as illegal and consequently direct the respondent to grant 40 days Ordinary Leave without police escort to the petitioner's brother namely Tharmaraj, S/o.Kasinathan, Life Convict Prisoner, PID No.2455 confined at Central Prison, Trichy.



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For Petitioner
For Respondents

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

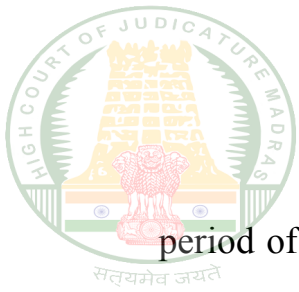
ORDER

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

The order dated 23.02.2025, passed by the first respondent, rejecting the petitioner's request for grant of ordinary leave, is under challenge in this writ petition.

2. The case of the petitioner is that her brother was convicted for the offence under Section 302 IPC (2 counts) and also imposed a fine of Rs.2,000/- and default sentence for each count and he has been incarcerated at Central Prison, Trichy for the past 14 years and 9 months. The petitioner's brother gave a representation to the first respondent seeking 40 days ordinary leave for repairing his house, partitioned our ancestral property.

3. The learned counsel for the petitioner would submit that earlier the convict prisoner was granted emergency leave on 26 occasions, in which, he has gone three times with escort and 23 times without escort and that during such time, no untoward incident has happened and he seeks for ordinary leave for a



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period of 40 days. The said request was rejected by the first respondent on the ground that the Probation Officer has not recommended the case of the convict prisoner. Challenging the said rejection order, the petitioner has filed the present writ petition.

4. The learned Additional Public Prosecutor appearing for the respondents would submit that the request of the petitioner was rejected by the first respondent on the ground that the family members have objected to his release and further the local police have given a adverse report and they have also not recommended the case of the convict prisoner.

5. Taking into consideration the earlier release and during such time no untoward incident has happened and also taking into sympathetic and humanitarian consideration, this Court is inclined to grant ordinary leave for 40 days to the petitioner without escort.

6. In the result,

(i) The writ petition is allowed.

(ii) The impugned order dated 23.02.2025 passed by the first respondent, is set aside.



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(iii) The convict prisoner namely, Tharmaraj, S/o. Kasinathan (PID No.2455) now detained in the Central Prison, Trichy, is granted ordinary leave for 40 days from 13.06.2025 to 22.07.2025.

(iv) The convict prisoner shall be released from the prison at 5.00 p.m on 12.06.2025 and he shall return back to the prison at 10.00 a.m on 23.07.2025.

(v) During the said leave period, the convict prisoner shall not enter into the Thanjavur District and shall stay at Ariyalur and report before the Inspector of Police, Meensurutti Police Station, Ariyalur District, daily at 10.30 a.m., from 13.06.2025 onwards without fail.

(vi) During the leave period, the convict prisoner shall abide by all the conditions prescribed in the Jail Manual. No costs.

[A.D.J.C., J.] [R.P., J.]
09.06.2025

Index : Yes / No
Neutral Citation : Yes / No
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Note : Issue order copy on 11.06.2025



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- 1.The Deputy Inspector General of
Prisons and Correctional Services,
Trichy Range, Race Course Road,
Trichy-620 023.
- 2.The Superintendent of Prison,
Trichy-620 020.
- 3.The Superintendent of Police,
Thanjavur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy To

The Inspector of Police,
Meensurutti Police Station,
Ariyalur District.



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A.D.JAGADISH CHANDIRA, J.

AND

R.POORNIMA, J.

am

ORDER MADE IN
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DATED : 09.06.2025