



W.P.Crl.(MD) No.164 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.06.2025

CORAM:

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

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R.Chandraleka

... Petitioner

-VS-

1.The Deputy Inspector General of Prison,
Madurai Zone,
Madurai Central Prison,
Madurai-625 001.

2.The Superintendent of Prison,
Central Prison,
Palayamkottai,
Tirunelveli-627 002.

3.The Superintendent of Police,
Office of the Superintendent of Police,
Tirunelveli.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to grant ordinary leave of 28 days without escort to the petitioner's son, the prisoner, Sudhakar, S/o.Ragavan,

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bearing CT.No.3646 serving life sentence at Palayamkottai Central Prison, by considering the petitioner's representation dated 13.03.2025.

For Petitioner : Mr.R.Narayanan

For Respondents : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor

ORDER

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

The present Writ Petition is filed for a writ of mandamus directing the respondents to grant 28 days of ordinary leave without escort to the petitioner's son Sudhakar, S/o.Ragavan, CT.No.3646 confined in the Palayamkottai Central Prison.

2. The learned counsel for the petitioner would submit that the petitioner is aged about 78 years old and suffering from serious heart ailments and hence, the petitioner has applied for ordinary leave without escort and no orders have been passed by the respondents till date.



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3. When the matter is taken up for hearing today, the learned Additional Public Prosecutor appearing for the respondents would submit that pending the writ petition, the first respondent has passed an order, dated 12.06.2025 granting 28 days ordinary leave to the petitioner with escort.

4. In reply, the learned counsel for the petitioner would submit that the petitioner was on bail during trial and thereby would seek for modification of the order.

5. Per contra, the learned Additional Public Prosecutor would submit that the Superintendent of Police has filed a report, wherein, he had stated that the brothers and relatives of the deceased Suryakanth, who are residing in the nearby localities such as Arumuganeri, Thiruchendur, Thoothukudi and Dhanushkodi continue to harbor resentment against the convict and there exists a real and substantial threat of retaliatory violence or communal disturbance and he may not be permitted to go on ordinary leave without escort.

6. The learned counsel for the petitioner would further submit that the incident had happened during the year 2013 and the petitioner was convicted in



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the year 2016. During the trial, the petitioner was on bail and no untoward incident had happened and the apprehension of the respondents that there will be retaliatory violence is unfounded and he seeks for ordinary leave without escort.

7. Heard the learned counsels on both sides and perused the materials available on record.

8. The petitioner has sent representation seeking ordinary leave for his son since it was not considered, she has approached this Court by way of writ of Mandamus. Now, it is submitted by the respondents that ordinary leave has been granted to the petitioner's son with escort. It is the case of the petitioner that during trial the petitioner was on bail and no untoward incident happened during such time. In such circumstances, this Court is of the opinion that imposing a condition to go on ordinary leave along with escort is without any justification.

9. In view of the above, the condition imposed in the order dated 12.06.2025 directing the petitioner's son to go on ordinary leave with escort is modified and he shall go on ordinary leave without escort. However, the



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petitioner's son is directed to comply with the usual conditions imposed by the jail authorities and he should also report before the Inspector of Police, Kulasekarapatinam Police Station, Tuticorin District daily twice at 07.00 a.m., and 07.00 p.m. He shall duly comply with the conditions and return to the prison on expiry of the leave period.

10. With the above direction, this Writ Petition is allowed. There shall be no order as to costs.

[A.D.J.C., J.] [R.P., J.]
16.06.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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