



W.P Criminal (MD) No.165 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

AND

THE HONOURABLE MS.JUSTICE R.POORNIMA

W.P Criminal.(MD)No.165 of 2025

Antoni Duraichi

... Petitioner /  
mother of the prisoner

-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 Certiorarified Mandamus, calling for records pertaining to the impugned order of the 1<sup>st</sup> respondent, dated 21.02.2025 in No.230/UTHA.2/2024 and quash the same and consequently, direct to grant ordinary leave of 28 days without escort to



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petitioner's son, the prisoner, namely Kulanthairaj, S/o. Chelladurai bearing LCT.No.3950 (PID.No.35138), serving life sentence at Palayamkottai Central Prison.

For Petitioner : Mr.R. Narayanan  
For Respondents : Mr.A.Thiruvadikumar,  
Additional Public Prosecutor

**ORDER**

**(Order of the Court was made by A.D.JAGADISH CHANDIRA,J.)**

The order dated 21.02.2025, passed by the first respondent, rejecting the petitioner's request for grant of ordinary leave, is under challenge in this writ petition.

2. The petitioner has made a representation to the Prison authorities to grant ordinary leave to her son for arranging medical treatment to her and her husband, whereas the respondents rejected the same contending that the petitioner's son is facing trial in pending cases and thereby, the petitioner's son is not eligible for leave as per Rule 35 of Tamil Nadu Suspension of Sentence Rules, 1982.

3. The learned Additional Public Prosecutor appearing for the respondents, on instructions, submitted that there are four pending cases against the petitioner and thereby, direct him to go on leave with escort.



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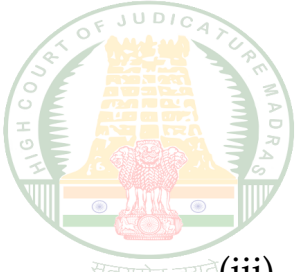
4. In reply the learned counsel appearing for the petitioner submitted that though 4 cases are pending against the petitioner's son all the offences are petty in nature. Hence, any stringent condition that may be imposed against him.

5. We have heard the learned counsel appearing on either side.

6. Recording the submission made by the learned Additional Public Prosecutor and considering the purpose for which the leave sought is for, we are inclined to direct the respondents to grant twenty eight days **(\*)Ordinary Leave** to the petitioner's son to arrange source for his parents livelihood.

7. Accordingly, the writ petition is disposed of with the following directions:

- (i) The respondents are directed to grant 28 days ordinary leave to the petitioner's son, namely, Kulanthairaj, S/o. Chelladurai (PID.No.35138), from **(\*)26.06.2025 to 23.07.2025 without escort.**
- (ii) He shall be released from the prison on 25.06.2025 at 5.00 pm., and report back to the Superintendent of Prison, Central Prison, Palayamkottai, Tirunelveli / 2<sup>nd</sup> respondent, by 17.07.2025 at 5.30 pm.,



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- (iii) During the leave period, the convict prisoner shall appear before the Puliyangudi South Police Station, Tenkasi District everyday at 7.00 and 7.00 pm., without fail
- (iv) The petitioner shall produce all necessary documents, along with a copy of this order, before the jail authorities,
- (v) During the leave period, the convict prisoner shall abide by all the conditions prescribed in the Jail Manual.
- (vi) No costs.

Sd/-

23.06.2025

**(\*)Corrected as per Order of this Court dated 27.06.2025 made in WP.Crl.(MD) No. 165 of 2025**

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2025

Sub Assistant Registrar  
(CS - I/ II / III /IV)

trp / aav



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**(\*) To Substituted order already despatched on 24.06.2025**

To

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.

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

Copy to:

The Inspector of Police  
Puliyangudi South Police Station  
Tenkasi District.

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23.06.2025

CT (24/06/2025) 5P/6C

DL(27/06/2025)5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023