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W.P.Crl(MD)No.909 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.08.2025

CORAM:

THE HONOURABLE **MR.JUSTICE A.D.JAGADISH CHANDIRA**

AND

THE HONOURABLE **MS.JUSTICE R.POORNIMA**

W.P.Crl(MD)No.909 of 2025

Muniyappan

... Petitioner/Life convict

-Vs-

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

2.The Superintendant of Prison,
Central Prison,
Trichy-620 020.

3.The Superintendant of Police,
O/o.The Superintendant of Police,
Karur 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 1st respondent vide proceedings in No.RO.TRY/410/2025-CA dated 17.07.2025 and quash the same as illegal and consequently, direct the 1st respondent to grant 28 days ordinary leave without police escort to the petitioner namely Muniyappan, S/o.Arumugam, Life Convict Prisoner, PID No.123846 confined at Central Prison, Trichy.

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For Petitioner : Mr.K.A.S.Prabhu
For Respondents : Mr.A.Thiruvadikumar,
Additional Public Prosecutor

ORDER

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

Challenge is made to the order dated 17.07.2025 passed in No. No.RO.TRY/410/2025-CA, by the first respondent rejecting the grant of 28 days ordinary leave to the petitioner.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3.When the matter is taken up for hearing today, the learned Additional Public Prosecutor appearing for the respondent submitted that the petitioner, after complying the earlier ordinary leave, had returned back to prison on 23.07.2025 and thereby the cooling period gets over only on 23.07.2025. Since the petitioner had given an application on 17.04.2025, the respondent had rejected the said application. He further submitted that the cooling period has got now over.



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4. Having gone through the rejection order, we find no infirmity in the order passed by the first respondent rejecting the petitioner's application holding that the cooling period has not got over. At the same time, we find that the representation had been given by the petitioner on 17.04.2025 and the respondent had rejected the same only on 17.07.2025 which is in violation of Rule 24(5) of the Suspension of Sentence Rules. We feel that having waited till 17.07.2025, it would have been appropriate for the respondents to have waited for another six days and passed the order on 24.07.2025 granting leave instead of making the petitioner to approach the Court wasting his money and time. We only pray to God that common sense should prevail upon the respondents while considering the representation of petitioner.

5. Taking into consideration of the facts that the cooling period is now over, we are inclined to direct the respondents to grant 28 days ordinary leave to the petitioner without escort.

6. Accordingly, the respondents are directed to grant 28 days ordinary leave to the petitioner in accordance with the rules without escort. During the leave period, the convict prisoner shall appear before the



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Inspector of Police, Mayanur Police Station, Karur District everyday at 07.00 p.m., without fail.

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7.With the above direction, this Writ Petition stands disposed of. No costs.

[A.D.J.C., J.] & [R.P., J.]
11.08.2025

NCC : Yes / No
Index : Yes / No
NS

Note:Issue order copy on 19.08.2025

To

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



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