



W.P.Crl(MD)No.1009 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 26.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

AND

THE HONOURABLE MS.JUSTICE R.POORNIMA

W.P.Crl(MD)No.1009 of 2025

Sivakumar

... Petitioner

-Vs-

- 1.The Deputy Inspector General of Prisons,
O/o. The Deputy Inspector General of Prison and Correctional Services,
Madurai Range, Madurai Central Prison Campus,
New Jail Road, Madurai.
- 2.The Superintendant of Prison,
Central Jail,
Madurai.
- 3.The Superintendent of Police,
O/o.The Superintendent of Police,
Ramanathapuram District.
- 4.The Inspector of Police,
Ramanathapuram Bazaar Police Station,
Ramanathapuram District.

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records passed by the Respondent No.1 in எண்.821/உ.த.2/2024 dated 04.08.2025 and quash the same as bad in law and further direct the respondent Nos.1 and 2 to grant ordinary leave for the period of 21 days to the petitioner.

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

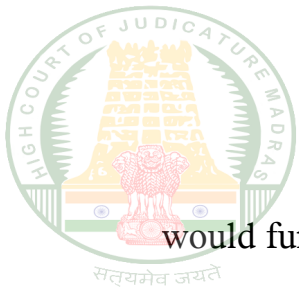
ORDER

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

Challenge is made to the order dated 04.08.2025 passed in எண்.821/உ.த.2/2024 by the first respondent rejecting 21 days ordinary leave to the petitioner.

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

3.The learned Additional Public Prosecutor appearing for the respondents would submit that the request of the convict prisoner was rejected by the respondents on the ground that the petitioner is having a case in Crime No.209 of 2021, for the offence punishable under Sections 279 and 304(A) of IPC. He



would further submit that the victim lives nearby to the house of the petitioner.

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4.Per contra, the learned counsel appearing for the petitioner would submit that the the criminal case filed against the petitioner ended in acquittal. As on date, no case is pending against the petitioner. He would further submit that as on date the petitioner has completed three years and he is otherwise eligible for ordinary leave for 21 days. Hence, he seeks ordinary leave.

5.Though Rule 35 of Tamil Nadu Suspension of Sentence Rules does not provide for granting leave, it would not denude the powers of this Court to grant emergency leave.

6.Taking into consideration of the submission made by the learned Additional Public Prosecutor and considering the purpose for arranging money to renovate the petitioner's house, we are inclined to direct the respondents to grant 21 days ordinary leave to the petitioner, with one escort.

7.Accordingly, the respondents are directed to grant 21 days ordinary leave to the petitioner with one escort. The escort charges shall be borne by the petitioner and if necessary, the same shall be adjusted from the income earned by the convict prisoner during the imprisonment period.



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

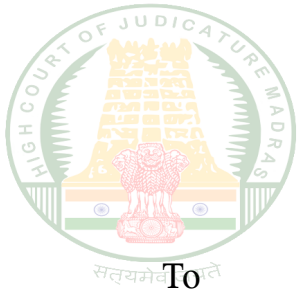
[A.D.J.C., J.] & [R.P., J.]
26.08.2025

NCC : Yes / No

Index : Yes / No

vsg

Note: Issue order copy on 28.08.2025



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To

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O/o. The Deputy Inspector General of Prison and Correctional Services,
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New Jail Road, Madurai.
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- 3.The Superintendent of Police,
O/o.The Superintendent of Police,
Ramanathapuram District.
- 4.The Inspector of Police,
Ramanathapuram Bazaar Police Station,
Ramanathapuram District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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AND

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