



WP.Crl.(MD)No.1477 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 22.10.2025

CORAM :

**THE HONOURABLE Mr. JUSTICE P.VELMURUGAN
and
THE HONOURABLE Mrs. JUSTICE L.VICTORIA GOWRI**

WP.Crl.(MD)No.1477 of 2025

C.Selvam

... Petitioner

vs.

1. The State of Tamil Nadu
Rep. by the Principal Secretary to Government
Home(Prison V) Department,
Secretariat, Fort St. George,
Chennai- 600 009.
2. The State Rep. by its
The Deputy Inspector General of Prison,
Office of the Deputy Inspector General of Prison,
Trichy Range, Race Course Road,
Trichy District 620 023.
3. The Superintendent of Prison
Central Prison at Trichy
Trichy 620 020
4. The Sub Inspector of Police
Vadasery Police Station,
Vadasery, Nagercoil,
Kanyakumari District

... Respondents



WP.Crl.(MD)No.1477 of 2025

PRAYER: Writ Petition Criminal is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order No.Ro.TRY/487/2025.CA dated 02.09.2025 passed by the third respondent, quash the same as illegal and consequently direct the respondents 1 to 3 to grant 60 days ordinary leave to the petitioner namely C.Selvam aged 54 years, C.P.No.23170 who has undergone nearly 27 years of imprisonment, in accordance with Rule 40 of the Tamil Nadu Suspension of Sentence Rules, 1982.

For Petitioner : Mr.A.Manoj Kumar

For Respondents : Mr.B.Nambi Selvan
Additional Public Prosecutor

ORDER

(Order of the Court was made by **P.VELMURUGAN. J.,**)

The prayer in the writ petition is to quash the impugned order passed by the third respondent No.Ro.TRY/487/2025.CA dated 02.09.2025 and consequently direct the respondents 1 to 3 to grant 60 days ordinary leave to the petitioner namely, C.Selvam aged 54 years, C.P.No.23170 who has undergone nearly 27 years of imprisonment, in accordance with Rule 40 of the Tamil Nadu Suspension of Sentence Rules, 1982.



2. The petitioner/convict prisoner has already availed ordinary leave for a period of 42 days from 20.12.2024 to 02.02.2025. Thereafter, he made an application on 12.06.2025 to the 3rd respondent seeking to grant 60 days of ordinary leave and the same was rejected by the 3rd respondent by impugned order dated 02.09.2025, against which, this writ petition is filed.

3. Perusal of the impugned order shows that rejection was made citing Rule 22(3) of the Tamil Nadu Suspension of Sentence Rules, 1982, which states that only after completion of one year of imprisonment from the date on which the prisoner returns to prison after completing the last ordinary leave period, the prisoner can be granted for the subsequent spell of ordinary leave. In this case, the petitioner has returned to prison on 03.02.2025 after availing ordinary leave for a period of 42 days from 20.12.2024 to 02.02.2025. Thus, he has not satisfied the above said Rule 22(3) for availing further spell of ordinary leave. Hence, the impugned order passed by the 3rd respondent is perfectly justified and the petitioner is not entitled to the relief sought for in this writ petition.



WP.Crl.(MD)No.1477 of 2025

WEB COPY

4. In view of the same, this Court does not find any perversity or reason to interfere with the order passed by the respondent.

5. Hence the Writ Petition stands dismissed. No costs.

(P.V., J) (L.V.G., J)
22.10.2025

Index : Yes/No

Internet : Yes/No

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To

1. The Principal Secretary to Government
Home(Prison V) Department,
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Chennai- 600 009.
2. The Deputy Inspector General of Prison,
Office of the Deputy Inspector General of Prison,
Trichy Range, Race Course Road,
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WP.Crl.(MD)No.1477 of 2025

5. The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai.



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WP.Crl.(MD)No.1477 of 2025

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L.VICTORIA GOWRI, J.**

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