



W.P.Crl.(MD) No.2460 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 09.12.2025

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

and

THE HONOURABLE MS.JUSTICE R.POORNIMA

W.P.Crl.(MD) No.2460 of 2025

Shanmugavalli

... Petitioner

-VS-

1. The Director General of Prisons
Directorate of the Central Prison
Tamil Nadu Prison,
Whannels Road, Egmore
Chennai- 600 008
2. The Deputy Inspector General of Prisons
Madurai Range, Madurai Central Prison Campus
Madurai- 625 016
3. The Superintendent of Prison
Central Prison
Madurai District 625 016
4. The Commissioner of Police
Madurai City
5. The Inspector of Police
Keeraithurai Police Station,
Madurai City

....Respondents



W.P.Crl.(MD) No.2460 of 2025

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 second respondent vide proceedings in No.604/Uo.tha.2/2025 dated 03.10.2025 and quash the same as illegal and consequently direct the respondents to grant leave to the petitioner's son Nithyand S/o.Vijayalingam, a convict prisoner in PID No.410040 confined at Central Prison, Madurai forthwith without escort.

For Petitioner : Mr.J. Vijayaraja

For Respondents : Mr.T.Senthil Kumar
Additional Public Prosecutor

O R D E R

The prayer in the Writ Petition is to set aside the impugned order passed by the second respondent vide proceedings in No.604/Uo.tha.2/2025 dated 03.10.2025 and to grant leave to the petitioner's son namely Nithyand S/o.Vijayalingam, a convict prisoner in PID No.410040 confined at Central Prison, Madurai forthwith without escort.



W.P.Crl.(MD) No.2460 of 2025

2. The petitioner's son had been convicted and sentenced to undergo life imprisonment in a murder case. Further he is in incarceration for more than three years and eight months. While being so, the petitioner had submitted a representation seeking ordinary leave for a period of twenty one days to her son to set up a separate matrimonial house for his wife, since he got inter caste marriage with one Subatharani, S/o.S.Chandran. Now the daughter-in-law of the petitioner was residing in her parent's house. However the said request of the petitioner was rejected on the ground that the petitioner is stating false reasons for parole to his son. Further the Probationary Officer also did not recommend the case of the petitioner's son for ordinary leave.

3. The petitioner also produced records to show that her son married one Subatharani and she is residing in her parent's house. Therefore the petitioner want to set up a separate matrimonial home for her daughter -in-law for which her son's presence is required. Further the son of the petitioner is also entitled for 21 days ordinary leave. However the reasons stated by the petitioner for leave was not found to be genuine.



W.P.Crl.(MD) No.2460 of 2025

WEB COPY

5. Considering the facts and circumstances of the case and considering the purpose for which the leave sought is for, we are inclined to direct the respondents to grant ten days ordinary leave to the convict prisoner without escort.

6. Accordingly, the impugned order passed by the second respondent is set aside and writ petition is disposed of with the following directions:

- (i) The respondents are directed to grant ten days ordinary leave to the convict prisoner namely, Nithyand S/o.Vijayalingam, PID No.410040 from 11.12.2025 to 20.12.2025. The convict prisoner shall be released from the prison on 10.12.2025 at 05.30 p.m.
- (ii) He shall report back to the Superintendent of Prison, Central Jail, Madurai / second respondent, by 21.12.2025 at 10.30 am.,
- (iii) During the leave period, the convict prisoner shall



WEB COPY



W.P.Crl.(MD) No.2460 of 2025

appear before the Inspector of Police, Keeraithurai
Police Station, daily at 10.30 a.m., 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.

[G.K.I., J.] [R.P., J.]
09.12.2025

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

Note: Issue order copy on 09.12.2025

To:

1. The Director General of Prisons
Directorate of the Central Prison
Tamil Nadu Prison,
Whannels Road, Egmore
Chennai- 600 008



W.P.Crl.(MD) No.2460 of 2025

2. The Deputy Inspector General of Prisons
Madurai Range, Madurai Central Prison Campus
Madurai- 625 016

3. The Superintendent of Prison
Central Prison
Madurai District 625 016

4. The Commissioner of Police
Madurai City

5. The Inspector of Police
Keeraithurai Police Station,
Madurai City

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



WEB COPY



W.P.Crl.(MD) No.2460 of 2025

G.K.ILANTHIRAIYAN, J.
AND
R.POORNIMA, J.

aav

W.P.Crl.(MD) No.2460 of 2025

09.12.2025