



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15-12-2025

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THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN

AND

THE HONOURABLE MS.JUSTICE R. POORNIMA

WP.Crl.(MD)No.2464 of 2025 and WMP.Crl(MD)No.572 of 2025

S.Vanitha

Petitioner(s)

Vs.

1. The Home Secretary,
Home Department (Prison),
Secretariat, Fort St. George,
Chennai – 600 009.

2. The Deputy Inspector General of Prisons,
Madurai Range,
Madurai – 625 001.

3. The Superintendent of Prison,
Central Prison,
Palayamkottai – 627 007.

4. The Inspector of Police,
Alangulam Police Station,
Tenkasi District.

Respondent(s)

For Petitioner(s): Mr.P.M.Basil

For Respondent(s): Mr.T.Senthil Kumar, Additional Public Prosecutor

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings in No. 1041/Utha.2/2025 issued by the 2nd respondent dated 17.10.2025 quash the same and consequently direct the 2nd respondent to grant 21 days ordinary leave without escort to the petitioner's husband Rajasekar S/o.Subramonian, PID No.434739.



ORDER

(Order of the Court was made by the Hon'ble G.K.ILANTHIRAIYAN, J.)

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This writ petition has been filed challenging the order passed by the 2nd respondent dated 17.10.2025 thereby rejected the request of the petitioner seeking 21 days ordinary leave to her husband without escort.

2. The petitioner's husband is a life convict for the major offence under Section 302 IPC in S.C.No.104 of 2015 and the same was also confirmed by this Court. While so, the petitioner who is the wife of the convict, submitted an application before the 2nd respondent seeking 21 days ordinary leave to her husband. It was rejected by the 2nd respondent by the impugned order on the ground that apart from the present conviction, the petitioner's husband is also facing trial in two pending cases thereby, he is not eligible for ordinary leave as per Rule 35 of the Tamil Nadu Suspension of Sentence Rules.

3. This Court finds no infirmity in the impugned order of the 2nd respondent. However, the learned counsel for the petitioner would submit that there is a property dispute between the convict and his family members and therefore, the convict's presence is very much required to partition the family properties.

4. In view of the above submission, the petitioner is directed to prepare a draft partition deed between the convict and his family members and get a token from the concerned jurisdictional registration office to register the said partition deed and make an application before the 2nd respondent along with those details. If such application is made with all the above details, the 2nd respondent shall consider the same and grant ordinary leave to the convict prisoner for a reasonable period.



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5. With the above direction, the Writ Petition is disposed of.

Consequently, connected miscellaneous petition is closed.

(G.K.ILANTHIRAIYAN, J.) (R.POORNIMA, J.)
15-12-2025

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To

1. The Home Secretary,
Home Department (Prison),
Secretariat, Fort St. George,
Chennai – 600 009.

2. The Deputy Inspector General of Prisons,
Madurai Range,
Madurai – 625 001.

3. The Superintendent of Prison,
Central Prison,
Palayamkottai – 627 007.

4. The Inspector of Police,
Alangulam Police Station,
Tenkasi District.

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



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

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