



W.P.CrL.(MD) No.2487 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.12.2025

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN
and
THE HONOURABLE MS.JUSTICE R.POORNIMA

W.P.CrL.(MD) No.2487 of 2025

Marikkannu

... Petitioner

-vs-

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

2. The Superintendent of Prison
Central Prison
Trichy-620 020

3. The Superintendent of Police
O/o. The Superintendent of Police
Thanjavur District

4. The Inspector of Police
O/o. Thanjavur Taluk Police Station
Thanjavur 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 relating to the impugned order passed by the first respondent vide proceedings in No.RO.TRY/376/2025-CA dated 24.09.2025 and quash the same as illegal and consequently direct the first respondent to grant 28 days ordianry leave without police escort to the petitioner's husband namely Ilavarsan, son of Muniyappan, Life Convict Prisoner No.23167, PID No.196804 confined at Central Prison, Trichy.

For Petitioner : Mr.K.A.S. Prabhu

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

ORDER

[Order of the Court was made by G.K.ILANTHIRAIYAN, J.]

The prayer in the petition is to quash the impugned order passed by the first respondent vide proceedings in No.RO.TRY/376/2025-CA dated 24.09.2025 and direct the first respondent to grant 28 days



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ordianry leave without police escort to the petitioner's husband namely Ilavarsan, son of Muniyappan, Life Convict Prisoner No.23167, PID No. 196804 confined at Central Prison, Trichy.

2. It is the case of the petitioner that her husband / convict was convicted by the learned District and Sessions Judge, Fast Track Mahila Court, Thanjavur, by Judgment dated 30.08.2019 in S.C.No.21 of 2018, for the offence under Section 6 read with Sections 5(u) and 5(g) of the Protection Of Children from Sexual Offences Act, 2012 and he was sentenced to undergo life imprisonment and to pay a fine of Rs.5,000/- for each offence, in default, to undergo simple imprisonment for one year for each offence and in the appeal also, the conviction and sentence imposed by the Trial Court were confirmed. Her husband is in incarceration for the past five years. Therefore, she applied for grant of ordinary leave to her husband. However the first respondent has granted leave with escort, thereby she seeks to set aside the order.



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3. Learned Additional Public Prosecutor appearing for the respondents, on instructions, would submit that the convict prisoner was granted leave with escort since there is a life threat to him.

4. Heard the learned counsel on either side and perused the materials available on record.

5. On perusal of the materials available on record, we find that the offence is of the year 2018. The petitioner's husband was on bail during trial. As on date, several years have lapsed and no untoward incident had been reported even during the bail period. Further, the victim side had also not supported the prosecution version.

6. In the result,

(i) The writ petition is allowed.



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- (ii) The impugned order dated 24.09.2025, passed by the first respondent, is set aside.
- (iii) The convict prisoner, namely, Ilavarsan, son of Muniyappan, Life Convict Prisoner No.23167, PID No.196804 shall be granted ordinary leave for a period of twenty eight (28) days from 12.12.2025 to 08.01.2026 without escort.
- (iv) During the said leave period, he shall report before the Inspector of Police, Tanjore Taluk Police Station, Thanjavur, daily at 06.30 p.m., without fail.
- (v) He shall report back to the Superintendent of Prison, Central Prison, Trichy / third respondent, by 10.00 a.m., on 09.01.2026, without fail.
- (vi) The petitioner shall produce all necessary



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documents, along with a copy of this order,
before the jail authorities.

(vii) During the leave period, the convict prisoner
shall abide by all the conditions prescribed in
the Jail Manual.

(viii) No costs.

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

10.12.2025

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

Note to Office:

- (i) Mark a copy of this order to the
Inspector of Police, Tanjore
Taluk Police Station, Thanjavur.
- (ii) Issue order copy on 11.12.2025.

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To:

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and Correctional Services
Trichy Range, Race Course Road,
Trichy-620 023
2. The Superintendent of Prison
Central Prison
Trichy-620 020
3. The Superintendent of Police
O/o. The Superintendent of Police
Thanjavur District
4. The Inspector of Police
O/o. Thanjavur Taluk Police Station
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5. The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai.



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and
R.POORNIMA, J.

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