



W.P.CrL.(MD) No.2649 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.12.2025

CORAM:

**THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN
AND
THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY**

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Selvi Chinnathambi

... Petitioner

-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,
Chinnasalem Police Station,
Kallakurichi 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 proceedings in No.662/Utha.2/2025 issued by the second respondent dated 11.08.2025 quash the same and consequently direct the second respondent to grant 28 days ordinary leave without escort to the petitioner's husband Manikandan, S/o.Velayutham, PID No.860.

For Petitioner : Mr.P.M.Basil

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

ORDER

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

This writ petition has been filed challenging the order passed by the second respondent, dated 11.08.2025, thereby, rejected the request made by the petitioner seeking 28 days Ordinary Leave without police escort.

. 2. The petitioner's son was convicted for the offence punishable under Sections 120(b), 392 r/w 397, 302 r/w 34 IPC and sentenced him to undergo Life



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Imprisonment in S.C.No.130 of 2012, dated 22.04.2013, on the file of the learned Sessions Judge, District Mahila Court, Cuddalor. Aggrieved by the said conviction and sentence, the convict prisoner has filed an appeal before this Court in CrL.A(MD)No.619 of 2013. The petitioner's son is languishing in imprisonment for more than 12 years. Therefore, the petitioner applied for 28 days ordinary leave for his son, however, it was rejected by the second respondent on the ground that once the person convicted for the offence under Section 392 to 402 of IPC is not entitled for any ordinary leave.

3. On instruction, the learned Additional Public Prosecutor appearing for the respondents would submit that the authorities are acted upon Rule 21(b) of the Tamilnadu Suspension of Sentence Rules and rejected the request made by the petitioner. However, the petitioner's son is entitled for Emergency leave only.

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



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5. Consideration the facts and circumstances of the case, this Court is inclined to direct the respondents to grant six (6) days emergency leave to the petitioner's son without escort.

6. In the result,

- (i) The writ petition is allowed.
- (ii) The impugned order dated 11.08.2025 passed by the second respondent, is set aside.
- (iii) The convict prisoner namely, Manikandan, S/o.Velayutham, PIC No.860 is granted emergency leave for 3 days.
- (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 report before the fourth respondent police daily



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morning at 10.30 a.m., and vening at 05.30 p.m.,

(vi) During the leave period, the convict prisoner shall abide by all the conditions prescribed in the jail manual.

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

19.12.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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5. The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai.



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