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W.P.Crl.No.37 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2026

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN
and
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

W.P.Crl.No.37 of 2026
and
W.P.M.P.Crl.No.9 of 2026

Sakthivel
S/o.Rajan

... Petitioner

Vs.

The State represented by its

1. The Deputy Inspector General of Prison,
Coimbatore Range,
Coimbatore – 641 018.
2. The Superintendent,
Coimbatore Central Prison,
Coimbatore – 641 018.

... Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, praying to issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order bearing No.1249/Mu.U.2/2025 dated 17.11.2025, passed by the 1st respondent and quash the same and consequently, direct the respondents to grant ordinary leave for 28 days without escort to the petitioner, Mandaiyan @ Sakthivel, S/o.Rajan, aged about 32 years, Convict Prisoner, PID No.41639 confined at Central Prison, Coimbatore.

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For Petitioner : Mr.P.Bakiyaraj
For Respondents : Mr.R.Muniyapparaj,
Additional Public Prosecutor,
assisted by Mr.M.Sylvester John

ORDER

[Order of the Court was made by P.VELMURUGAN, J.,]

This writ petition has been filed challenging the impugned order dated 17.11.2025 passed by the 1st respondent in No.1249/Mu.U.2/2025 and consequently, seeking a direction to the respondents to grant ordinary leave for a period of 28 days' without escort to the petitioner, Mandaiyan @ Sakthivel, S/o.Rajan, aged about 32 years, Convict Prisoner, PID No.41639 confined at Central Prison, Coimbatore.

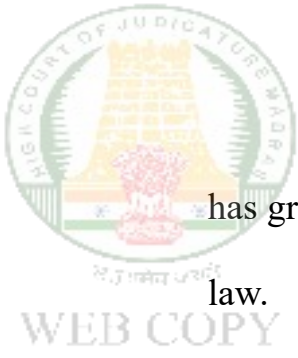
2. According to the petitioner, he was convicted for the offences under Section 449 IPC and was sentenced to undergo 10 years imprisonment; under Section 302 IPC, he was sentenced to undergo life imprisonment; and under Section 506 IPC, he was sentenced to undergo 2 years imprisonment by the learned Sessions Judge, Special Sessions Court for Bomb Blast Cases, Coimbatore in S.C.No.42 of 2016 dated 24.08.2017.



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3. It is the case of the petitioner that his presence is absolutely necessary to carry out renovation works in his residential house, which is very old. The petitioner further contends that his aged parents are residing in the said house and are finding it extremely difficult to live there in rainy season due to its condition, and therefore, his assistance and supervision are required for the said renovation. On the said ground, the petitioner/convict prisoner made a representation to the prison authorities seeking ordinary leave for 28 days without escort. The first respondent, upon consideration of the said representation granted leave to the petitioner, however, subject to the condition that the leave shall be with police escort. Aggrieved by the said condition, the petitioner has filed present petition.

4. Learned counsel for the petitioner submitted that this Court, by order dated 06.06.2024 in W.P.No.9921 of 2024, had earlier granted 28 days' ordinary leave "***without escort***" to the petitioner. The petitioner was duly availed the said leave and reported back to the prison authorities within the prescribed time without any violation of the conditions imposed. However, the first respondent without taking into consideration the earlier order of this Court and the petitioner's satisfactory conduct,



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has granted leave only with escort, which is arbitrary and unsustainable in law.

5. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents and perused the materials available on record.

6. It is not in dispute that a life convict, who has completed three years of imprisonment is eligible to apply for ordinary leave under Rule 22(1)(c) of the Tamil Nadu Prison Manual. In the case on hand, the petitioner/convict prisoner has undergone more than seven years of incarceration. Taking note of the said period of imprisonment, the first respondent has duly considered the representation of the petitioner and granted 28 days' ordinary leave, albeit with escort. The challenge in the writ petition is confined only to the said imposition of the said condition.

7. It is well settled that the grant of leave, either with escort or without escort, is not a matter of right. The same lies within the exclusive domain and discretion of the prison authorities, who are required to take into consideration the facts and circumstances of each case, including the



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conduct and behaviour of the convict prisoner, both inside and outside the prison. This Court finds no material on record to conclude that the discretion exercised by the first respondent in imposing the condition of escort suffers from arbitrariness, illegality or perversity so as to warrant interference under Article 226 of the Constitution of India.

8. In view of the above, this Court is not inclined to interfere with the impugned order passed by the first respondent. Accordingly, this Writ Petition is dismissed. Consequently, connected miscellaneous petition is closed.

9. However, it is made clear that if the petitioner opts to avail the leave already granted, he shall strictly adhere to all the conditions imposed by the first respondent, and the leave shall be availed with minimum escorts only. The petitioner shall bear the expenses of one of the escorts alone, as prescribed by the prison authorities.

(P.V., J.) (M.J.R., J.)
08.01.2026

Index : Yes / No
Speaking Order / Nonspeaking order
Neutral Citation : Yes / No
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To

1. The Deputy Inspector General of Prison,
Coimbatore Range,
Coimbatore – 641 018.
2. The Superintendent,
Coimbatore Central Prison,
Coimbatore – 641 018.
3. The Public Prosecutor,
High Court, Madras.



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**P.VELMURUGAN, J.,
and
M.JOTHIRAMAN, J.,**

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