



W.P.(CrI).No.215 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 03.02.2026

Coram:

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

W.P.(CrI).No.215 of 2026

P.Bhagiyalakshmi
W/o.Palaniyandi @ T.S.P. Durai

.. Petitioner

Vs.

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

2. The Superintendent of Prison
Central Prison, Cuddalore
Cuddalore District

3. The Inspector of Police
Vannur Police Station
Vannur Taluk, Thiruvakkarai Post
Villupuram District – 604 304

.. Respondents

Writ Petition (Criminal) filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents to forthwith release the detenu Palaniyandi @ T.S.P. Durai (B.R.P.No.497778) on parole to enable him to attend the 16th day rituals on 04.02.2026 and 05.02.2026, now confined in Central Prison, Cuddalore.

For petitioner : Mr.S.Sidhartha Vishnu

For respondents:Mr.R.Muniyapparaj, Additional Public Prosecutor
assisted by Mr.M.Karthikeyan



W.P.(CrI).No.213 of 2026

ORDER

WEB COPY

(The Order of the Court was made by P.Velmurugan, J)

The petitioner has filed the present petition seeking to issue a Writ of Mandamus directing the respondents to forthwith release the convict prisoner Palaniyandi @ T.S.P. Durai (B.R.P.No.497778), now confined in Central Prison, Cuddalore, on parole to enable him to attend the 16th day rituals of his younger brother, on 04.02.2026 and 05.02.2026.

2. The case of the petitioner is that she is the wife of the convict prisoner Palaniyandi @ T.S.P. Durai. Challenging the judgment of conviction and sentence, the convict prisoner went upto the Supreme Court and the Hon'ble Supreme Court has also confirmed the judgment of conviction and sentence passed by the trial Court. While so, the younger brother of the convict prisoner died on 22.01.2026 and based on the written request made before the 2nd respondent, the convict prisoner was released on parole on 23.01.2026 to attend the funeral of his brother and he was taken back into custody on the very same day around 6.00 p.m. Thereafter, the petitioner sent a representation dated 28.01.2026 to the respondents seeking emergency leave for the convict prisoner for 2 days to attend the 16th day rituals of his brother. Since, no reply was received, she filed the present petition seeking direction to the respondents.



3. When the matter was taken up for hearing today, the learned Additional Public Prosecutor today produced a copy of the communication dated 29.01.2026 issued by the second respondent rejecting the leave application of the petitioner. However, considering the fact that the brother of the convict prisoner died on 22.01.2026 and his 16th day ceremonies are to take place on 04.02.2026 & 05.02.2026, though the Jail Manual does not provide such a leave, this Court, by exercising its extraordinary jurisdiction under Article 226 of the Constitution of India, grants two days Special Leave to the convict prisoner on the said dates.

4. Accordingly, the convict prisoner, namely Palaniyandi @ T.S.P. Durai (B.R.P.No.497778), now confined in Central Prison, Cuddalore is granted two days special leave commencing from 10.30 A.M., on 04.02.2026 till 4.30 P.M., on 05.02.2026 with adequate escort, of which the expenses for one escort shall be borne by the petitioner and the convict prisoner shall surrender before the Prison authority on 05.02.2026 before 4.30 P.M. It is made clear that the convict prisoner shall utilize the leave only for the purpose for which it has been granted and shall not indulge in any other unlawful activities, failing which the leave granted to the convict prisoner shall stand cancelled automatically without any further reference to this Court.



W.P.(CrI).No.213 of 2020

5. With the above directions, this Writ Petition stands disposed of.

WEB COPY

(P.V., J) (M.J.R., J)
03.02.2026

ksa-2

Note: Issue order copy on 03.02.2026



W.P.(CrI).No.21 of 2020

1. The Principal Secretary to the Government
Home (Prison) Department
Secretariat, St. George Fort
Chennai – 600 009
2. The Superintendent of Prison
Central Prison, Cuddalore
Cuddalore District
3. The Inspector of Police
Vannur Police Station
Vannur Taluk, Thiruvakkarai Post
Villupuram District – 604 304
4. The Public Prosecutor,
High Court, Madras.



WEB COPY



W.P.(Crl).No.215 of 2026

P.VELMURUGAN, J

and

M.JOTHIRAMAN, J

ksa-2

W.P.(Crl).No.215 of 2026

03.02.2026