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W.P.Crl.No.514 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.03.2026

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH  
and  
THE HONOURABLE MR.JUSTICE SUNDER MOHAN

W.P.Crl.No. 514 of 2026  
and  
WPMP Crl.No. 149 of 2026

Mrs.T.Blessita, F/A 38  
W/o. Thiagarajan  
No.399/2D/2, 6<sup>th</sup> Street,  
Lions Town, South Garden Road,  
Tuticorin – 628 001.

.. Petitioner

VS

- 1.The Home Secretary,  
Home Department (Prison),  
Secretariat, Fort St.George,  
Chennai – 600 009.
- 2.The Deputy Inspector General of Prisons,  
Chennai Range, Chennai.
- 3.The Superintendent of Prison,  
Central Prison – I,  
Puzhal, Chennai – 600 066.

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India  
praying to issue a writ of certiorarified mandamus calling for the records  
relating to the proceedings in No.74/Muu1/2026 dated 18.02.2026 by the  
2<sup>nd</sup> respondent and quash the same and consequently direct the 2<sup>nd</sup>  
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respondent to grant 28 days ordinary leave without escort to the petitioner's husband Thiyagarajan, s/o Murugensan, aged 44 years, (Convict Prisoner No.8434) is to grant 28 days ordinary leave without escort, confined at Central Prison I, Puzhal, Chennai.

For Petitioner : Mr.P.M.Boris

For Respondents : Mr.R.Muniyapparaj  
Additional Public Prosecutor  
assisted by  
Mr.M.Slvester John

ORDER

(Made by Dr. ANITA SUMANTH, J.)

The wife of one Thiyagarajan @ Thiyagu (convict), presently confined in Central Prison – I, Puzhal, Chennai, has sought a certiorarified mandamus to quash order dated 18.02.2026 rejecting the request for 28 days ordinary leave for the convict.

2. The reason assigned in the impugned order is that there are several pending cases against him and the same reason is reiterated in the counter filed by respondents citing Rule 35 of the Tamil Nadu Suspension of Sentence Rules, 1982.

3. We have heard Mr.Boris, learned counsel for petitioner and Mr.R.Muniyapparaj, learned Additional Public Prosecutor, assisted by Mr.M.Slvester John, for the respondents.



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4. It is true that Rule 25 places a bar upon the grant of leave in cases of convicts as against whom cases are pending. It is also true that Rule 40 vests authority in the government to exempt any prisoner from all or any provisions of the Rules. In the present case, the respondents have not thought it fit to exercise the power of exemption under Rule 40 and on a perusal of the counter, we do not believe that their decision is misconceived.

5. There are three pending cases as against the convict, in Crime Nos.85 of 2012 and 729 of 2012, pending before the learned Additional District Judge (FTC), Nagercoil and Crime No. 614 of 2016, pending before the learned Assistant Sessions Court, Padmanabhapuram.

6. However, we accede to the petitioner's request for leave on two grounds. Firstly, the convict has been granted bail in the aforesaid pending matters. Secondly, this Court, on consideration of a similar request for the earlier periods, has granted leave without escort in W.P.No. 17498 of 2024 on 23.07.2024, W.P.No. 3387 of 2025 on 22.02.2025 and in W.P.(Crl) No. 475 of 2025 on 12.09.2025.

7. Having regard to the aforesaid position, the impugned order is set aside and this Writ Petition allowed. The petitioner's request for grant of ordinary leave is restricted to 10 days commencing from 18.03.2026, without police escort, and, on the following conditions:



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(i) *The respondents are directed to release the convict viz., Thiagarajan, S/o. Murugesan, aged about 44 years, Convict Prisoner No.8434, PID No. 239015, confined at Central Prison - I, Puzhal, Chennai-66, on ordinary leave for a period of ten (10) days without escort i.e., from 18.03.2026 to 27.03.2026.*

(ii) *The convict shall be released on 18.03.2026 at 10.00 A.M. and is directed to surrender before the Superintendent of Prisons, Central Prison-I, Puzhal, Chennai, on 27.03.2026 by 5.30 p.m.*

(iii) *The convict shall report before the Inspector of Police, Thoothukudi South Police Station, Thoothukudi District, on alternate days at 11.00 A.M, during the period of leave.*

(iv) *During the leave period, the Convict Prisoner shall abide by all the conditions prescribed in the Jail Manual.*

Connected Miscellaneous Petition is closed.

[A.S.M, J.] [S.M, J.]  
13.03.2026

Neutral Citation: Yes/No

ssm

Note to Registry : Issue on 16.03.2026



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To

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- 1.The Home Secretary,  
Home Department (Prison),  
Secretariat, Fort St.George,  
Chennai – 600 009.
- 2.The Deputy Inspector General of Prisons,  
Chennai Range, Chennai.
- 3.The Superintendent of Prison,  
Central Prison – I,  
Puzhal, Chennai – 600 066.
- 4.The Inspector of Police,  
Thoothukudi South Police Station,  
Thoothukudi.
- 5.The Public Prosecutor,  
High Court, Madras.



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DR. ANITA SUMANTH,J.  
and  
SUNDER MOHAN,J.

ssm

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