



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-04-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

WP CrI. No. 737 of 2026

Rathinam
W/o. Venkadesan,
No.41,Perumal Kovil Street,
Vanur Taluk, Keelkoothapakkam,
Villupuram District - 604 102.

..Petitioner(s)

Vs

1. The State Rep.by,its Home Secretary
Home Department, Secretariat, Fort St.George,
Chennai.
2. The Director General of Prison,
Office of Director General of Prison,
Gandhi Irwin Road, CMDA Building,
Egmore, Chennai - 08.
3. The Superintendent of Prison,
Central Prison, Cuddalore,
Cuddalore District.
4. The Superintendent of Police,
Villupuram District.

..Respondent(s)

PETITION filed under Article 226 of the Constitution of India praying for the issuance of a Writ or order or direction in the nature of Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order bearing letter No.236079/Tha.Ku.2/2026 dated 06.03.2026 passed by the



3rd respondent and quah the same and consequently, direct the 3rd respondent to grant ordinary leave for 21 days without escort to Petitioner Husband Venkadesan S/o. Chellappan, aged about 56 years (PID No.276738) who now confined in Central Prison, Cuddalore as a convict) based on my representation dated 21.02.2026 to for the purpose of enabling him to take care of petitioner during petitioner surgery and to support her emotionally while she undergo medical treatment to cure her health issue and kindly pass such further or other order

For Petitioner(s): P. Krishnakumar

For Respondent(s): Mr.R.Muniyapparaj, Additional Public
Prosecutor assisted by Mr.Sylvester John,
Advocate

ORDER

(Order of the Court was made by Dr.Anita Sumanth J.)

We have heard Mr.P.Krishnakumar, learned counsel for the petitioner and Mr.R.Muniyapparaj, learned Additional Public Prosecutor appearing for the respondents.

2. The reason for rejection of the petitioner's representation seeking ordinary leave for 21 days is that the convict prisoner Venkadesan S/o. Chellappan, confined in Central Prison, Cuddalore, convicted on 10.01.2025 has not completed the period of 3 years, per the Tamil Nadu Suspension of Sentence Rules, 1982 (in short 'Rules').



3. However, learned Additional Public Prosecutor would accede to the position that the convict prisoner may seek leave under Rule 6 of the Rules, being emergency leave. This is recorded.

4. In light of the aforesaid, the challenge to order dated 06.03.2026 declining the leave of 21 days without escort is rejected. The petitioner/convict is at liberty to seek emergency leave, should they so desire, which will be considered by the authorities in accordance with the extant Rules.

5. This Writ Petition is dismissed with liberty.

(A.S.M.,J.) (S.M.,J.)
07-04-2026

Index: Yes/No

Speaking order

Neutral Citation: Yes

SL

To

1. The State Rep.by,its Home Secretary
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Fort St.George, Chennai.
2. The Director General of Prison,
Office of Director General of Prison,
Gandhi Irwin Road, CMDA Building,
Egmore, Chennai - 08.
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Central Prison, Cuddalore,
Cuddalore District.
4. The Superintendent of Police,Villupuram District.
5. The Public Prosecutor, High Court, Madras.



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DR.ANITA SUMANTH J.

AND

SUNDER MOHAN J.

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