



WP CrI. No. 931 of 2026

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 29-04-2026**

CORAM

**THE HON'BLE DR.JUSTICE ANITA SUMANTH**

**AND**

**THE HON'BLE MR.JUSTICE SUNDER MOHAN**

**WP CrI. No. 931 of 2026**

I. Girija

..Petitioner(s)

Vs

1. The Deputy Inspector General of Prisons  
Correctional Service,  
Vellore Range,  
Vellore.

2. The Superintendent of Prison  
Central Prison,  
Cuddalore.

..Respondent(s)

**Prayer:** Writ petition filed under article 226 of Constitution of India for issuance of a Writ of Certiorarified Mandamus to call for the records No.RO-VLR/381/2025-CAMP(A) dated 05.11.2025 passed by respondent No.1 and quash the same and consequently direct the respondents to grant 21 days ordinary leave to the petitioner husband namely Elayaraja (a) Ambikapathi S/o Shanmugam, aged 38 years, ct.no.16875, PID No.2165 Convict Prisoner, now confined in the Central Prison, Cuddalore.



WP CrI. No. 931 of 2026

For Petitioner(s):

Mr.P.Pugalenth

For Respondent(s):

Mr. R. Muniyapparaj,  
Additional Public Prosecutor  
Assisted By Mr. M. Sylvester John

### **ORDER**

**(Order of the Court was made by Sunder Mohan J.)**

The wife of the convict Elayaraja, who is a life convict in the Central Prison, Cuddalore has approached this Court challenging the order dated 05.11.2025, whereunder the authorities have rejected the request for ordinary leave of 21 days. The rejection is invoking Rule 21(b) of the Tamil Nadu Suspension of Sentence Rules, 1982 (in short 'Rules').

2. We have heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3. The convict has completed the minimum period of sentence for eligibility of leave. It is true that Rule 21(b) of the Rules lays an embargo on the authorities from granting leave in the case of those accused who have been convicted of offences under Section 396 of the IPC.



WEB COPY

4. Be that as it may, this Court has on an earlier occasion intervened and by exercise of powers under Article 226 of the Constitution of India directed the convict to avail leave of 6 days on humane considerations as against the 28 days leave as sought for.

5. Therefore, we directed Mr.R.Muniyapparaj, learned Additional Public Prosecutor to obtain the Probation Officer's report to ascertain if the reasons cited by the petitioner for grant of leave to the convict, are true. On instructions, the learned Additional Public Prosecutor confirmed that the Probation Officer has found the reasons to be genuine.

6. Since the petitioner has sought for leave to enable the convict to complete the construction/renovation of his house and also to visit his ailing mother, which have been found to be true, we are inclined to exercise our powers to grant leave to the convict.

7. Accordingly, the impugned order dated 05.11.2025 is set aside and ordinary leave of 21 days without escort is granted to the convict prisoner, though on the following conditions:



WEB COPY



WP CrI. No. 931 of 2026

(i) Respondents are directed to release the Convict Prisoner viz., Elayaraja @ Ambikapathi, S/o.Shanmugam, aged 38 years, now confined in the Central Prison, Cuddalore on Ordinary Leave for a period of 21 days i.e., from 01.05.2026.

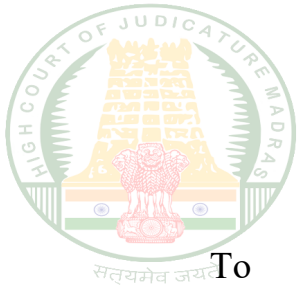
(ii) The Convict Prisoner shall be released on 01.05.2026 at 10.00 am and he shall surrender before the Central Prison, Cuddalore on 22.05.2026 before 10.00 a.m.

(iii) The Convict Prisoner is directed to report before the Inspector of Police, Thiruvannainallur Police Station, Villupuram District every alternate day at 10.30 a.m., during the period of leave.

6. This Writ Petition is allowed. Connected Miscellaneous Petition is closed.

(A.S.M.,J.) (S.M.,J.)  
29-04-2026

Index: Yes/No  
Speaking/Non-speaking order  
Neutral Citation: Yes/No  
Note: Issue order today.  
ars



WP CrI. No. 931 of 2026

To  
WEB COPY

1. The Deputy Inspector General of Prison  
Correctional Service,  
Vellore Range,  
Vellore 632 002.
2. The Superintendent of Prison  
Central Prison,  
Cuddalore 607004.
3. The Public Prosecutor,  
High Court of Madras.



WEB COPY



WP CrI. No. 931 of 2026

**DR.ANITA SUMANTH, J.  
AND  
SUNDER MOHAN, J.**

ars

**WP CrI. No. 931 of 2026**

**29-04-2026**

---

Page 6 of 6