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WP CrI. No. 1046 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-06-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

**WP CrI. No. 1046 of 2026
and WMP CrI.No.345 of 2026**

Kumar

..Petitioner(s)

Vs

1. The Deputy Inspector General of Prisons,
Whannels Road, Egmore, Chennai - 600 008.
2. The Superintendent of Prisons
Central Prison-1, Vellore.

..Respondent(s)

PETITION filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records in the order No.RO-VLR/111/2026-CAMP(A) dated 26-03-2026 passed by respondent No.2 and quashing the same, and directing the respondents to grant 28 days ordinary leave for the petitioner's brother namely Kumar, S/o.Periyannan, aged 40 years Convict Prisoner, PID 28770, Central Prison, Vellore.

For Petitioner(s): Ms.S.Nadhiya

For Respondent(s): Mr. C.R. Malarvannan
Counsel for Government Of Tamil Nadu
(Criminal Side)



ORDER

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

The brother of the convict prisoner aggrieved by the order rejecting the request for grant of ordinary leave, has filed this petition.

2. The petitioner's brother viz., Kumar, S/o.Periyannan, aged 40, years, was convicted for the major offence under Section 302 of the IPC and sentenced to life imprisonment and he is undergoing imprisonment, admittedly, for more than twelve years. By the impugned order, the respondents have rejected the request for leave on the ground that the reasons for leave are not true.

3. The learned counsel for the petitioner would submit that the convict prisoner's mother is aged about 78 years and his presence is required for making arrangements for their livelihood and also for meeting his aged mother, who requires continuous medical treatment.

4. The learned counsel for Government of Tamil Nadu (Criminal Side), appearing for the respondents *per contra* submitted that though the



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convict prisoner is eligible for leave, the Probation Officer found that the reasons stated were not true; and that there is no reason to interfere with the impugned order.

5 It is not in dispute that the convict prisoner's mother is aged about 78 years. In fact, the Probation Officer has recorded in his report that the convict prisoner's mother had taken treatment in the year 2025.

6. In view of the admitted fact that the convict prisoner's mother is 78 years old and had already suffered an ailment, we are of the view that the respondents are not justified in rejecting the request of the petitioner. That apart, the other reason for rejection is that there is likely to be a law and order problem, if the convict prisoner is released. In fact, this Court had earlier granted 21 days ordinary leave to the convict prisoner in WP No.38866 of 2024 by order dated 07.01.2025 and no complaint of any threat to the convict prisoner was reported.

7. Hence, we are inclined to grant Ordinary Leave to the convict prisoner without escort for a period of 21 days commencing from 08.06.2026.



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8. (i) The respondents are directed to release the convict viz., Kumar, S/o.Periyannan, aged 40, years, confined at Central Prison, Vellore, on ordinary leave for a period of twenty one (21) days without escort i.e., from 08.06.2026 to 28.06.2026.

(ii)The convict shall be released on 08.06.2026 at 10.00 A.M. and is directed to surrender before the Superintendent of Prisons, Central Prison, Vellore, on 29.06.2026 before 10.00 A.M.

(iii)The convict shall report before the Annathanapatty Police Station, once in a week, i.e., on every Monday at 10.30 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.

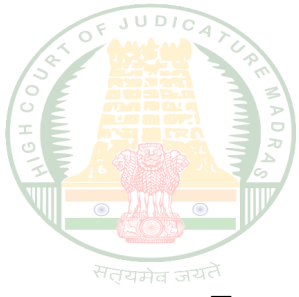
Connected Miscellaneous Petition is closed.

(A.S.M.,J.) (S.M.,J.)
05-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

Issue order copy today.

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To

1. The Deputy Inspector General of Prisons,
Whannels Road,
Egmore, Chennai - 600 008.
2. The Superintendent of Prisons
Central Prison-1,
Vellore.
3. The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

(Order of the Court was made by SUNDER MOHAN, J.)

This matter is listed under the caption 'for being mentioned'.

2. Learned counsel for the petitioner states that the name of the convict was mentioned wrongly in the affidavit filed by her, as a result, the order passed on 05.06.2026 also mentioned the same.

3. In light of the above, paragraph Nos.2 and 8 of order dated 05.06.2026 is modified to read as follows:

2. The petitioner's brother viz., Arulmurugan, S/o.Periyannan, was convicted for the major offence under Section 302 of the IPC and sentenced to life imprisonment and he is undergoing imprisonment, admittedly, for more than twelve years. By the impugned order, the respondents have rejected the request for leave on the ground that the reasons for leave are not true.

8. (i) The respondents are directed to release the convict viz., Arulmurugan, S/o.Periyannan, confined at Central Prison, Vellore, on ordinary leave for a period of



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

twenty one (21) days without escort i.e., from 10.06.2026 to 30.06.2026.

(ii) The convict shall be released on 10.06.2026 at 10.00 A.M. and is directed to surrender before the Superintendent of Prisons, Central Prison, Vellore, on 01.07.2026 before 10.00 A.M.

(iii) The convict shall report before the Annathanapatty Police Station, once in a week, i.e., on every Monday at 10.30 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.

4. Barring the aforesaid changes, order dated 05.06.2026 remains unaltered.

[A.S.M, J.] [S.M, J.]
09.06.2026

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Note: Issue today.

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and WPMP.CrI.No.345 of 2026