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WP CrI. No. 1188 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-06-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

**WP CrI. No. 1188 of 2026
and WPMP No.395 of 2026**

Ambika
W/o. Kumar,
D.No.4/24, New Colony, Indira Nagar,
Kongarpalaiyam, Erode District-638 506.

..Petitioner(s)

Vs

1. The State Represented by its
The Deputy Inspector General of Prison,
Coimbatore Range, Coimbatore-641 018.
2. The Superintendent
Coimbatore Central Prison, Coimbatore-641 018.

..Respondent(s)

PETITION filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the Impugned Order bearing No.390/Tha.U.1/2026, dated 21-04-2026 passed by the 1st respondent and quash the same and consequently direct the respondents to grant ordinary leave for 30 days without escort to the detenue, Kumar, S/o. Muthu aged 38 years, convict prisoner, PID No.24106 confined at Central Prison, Coimbatore.

For Petitioner(s):

Mr.A.Selvakumar @ Sivaaji
for Mr.P.Bakiyaraj



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For Respondent(s):

Mr. C.R. Malarvannan
Counsel for Government Of Tamil Nadu
(Criminal Side)

ORDER

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

The petitioner has challenged the impugned order by which the petitioner's request for ordinary leave for her husband viz., Kumar, who is a life convict, has been rejected.

2. According to the petitioner, the convict prisoner is in custody for more than four years and is entitled to 21 days of ordinary leave as per the Rules. The Probation Officer has not recommended leave stating that the reasons are not true. The police have also not recommended leave since they were of the view that there would be a threat to the life of the convict prisoner.

3. The learned counsel for the petitioner would submit that the wife (petitioner herein), daughter and mother of the convict prisoner do not have sufficient income and that if leave is granted to the convict prisoner, he would make arrangements for their livelihood.



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4. The learned counsel for Government of Tamil Nadu (Crl.Side) would submit that since both the Probation Officer and the police have not recommended leave, the impugned order cannot be faulted.

5. During the previous hearing, on 18.06.2026 we had directed the learned counsel for Government of Tamil Nadu (Crl.Side) to obtain a fresh report from the Probation Officer.

6. Accordingly a fresh report has been obtained. Even in this report, the Probation Officer had rejected the request, but had observed that the petitioner did not own any property and had obtained a loan of Rs.40,000/- and is paying a monthly instalment of Rs.2,150/-, towards the loan.

7. The above observations suggest that the family is living in poverty. Hence, it cannot be said that the reason stated for leave is unjustified. The objection raised by the police is that there could be a threat to the convict prisoner's life. Therefore, we are of the view that leave can be granted to the convict prisoner with police escort.



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8. The learned counsel for the petitioner produced a Poverty Certificate and handed over a copy to the learned counsel for Government of Tamilnadu (Crl.Side).

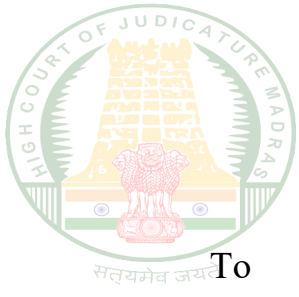
9. The respondents may verify the genuineness of the said certificate and if it is found to be genuine may consider grant of Ordinary Leave with escort to the convict prisoner for a period of 21 days. The said exercise shall be made within a period of one week from the date of receipt of a copy of this order.

10. With the above direction, the writ petition is disposed of. Consequently, the connected Writ Miscellaneous Petition is closed.

(A.S.M.,J.) (S.M.,J.)
25-06-2026

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

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To
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1. The Deputy Inspector General of Prison,
Coimbatore Range,
Coimbatore-641 018.
2. The Superintendent
Coimbatore Central Prison,
Coimbatore-641 018.
3. The Public Prosecutor,
High Court, Madras.



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

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