



WEB COPY

WP CrI. No. 1247 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.05.2026

CORAM

THE HON'BLE MR JUSTICE G. R. SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE V. LAKSHMINARAYANAN

WP CrI. No. 1247 of 2026

and

W.M.P. No.415 of 2026

Fathima Rinsa
C/o.Navas

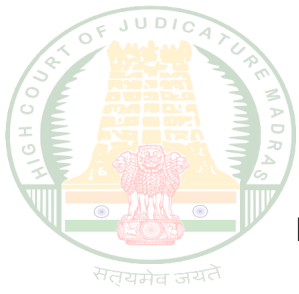
..Petitioner

Vs

1. The State, Represented by,
The Deputy Inspector General of Prison,
Gandhi Irwin Road, Egmore,
Chennai - 600 008.
2. The Superintendent,
Puzhal Central Prison II,
Puzhal-600 066.

..Respondents

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 relating to the impugned order dated 07.05.2026 vide No.1150 Tha.Ku.3/2026 passed by the 2nd Respondent and quash the same and consequently direct the 2nd Respondent to grant ordinary leave of 30 days without escort to the detenu Mohammed Navas S/o.Maheer Mohammad, aged about 55 years, bearing Trial Prisoner PID No.308347 confined at Central Prison, Puzhal II, Chennai.



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For Petitioner:

Mr.P.Syed Abdul Mashood

For Respondents:

Mr.R.Ganesh Kumar,
Counsel for Govt. of Tamil Nadu
(Criminal Side)**ORDER****(Order of the Court was made by G.R.Swaminathan J.)**

Heard both sides.

2. The writ petitioner's husband is an under trial prisoner facing prosecution under the Narcotic Drugs and Psychotropic Substances Act, 1985. He has been in custody for more than 5 ½ years. The petitioner states that she has to undergo eye surgery. Hence, the petitioner applied to the authorities seeking grant of 30 days ordinary leave for her husband. The request was rejected vide order dated 07.05.2026. Challenging the same, the present writ petition has been filed.

3. The very filing of the writ petition and the prayer are misconceived. The petitioner's husband is only an under-trial prisoner. Therefore, the question of granting leave does not arise at all. The under-trial prisoner has to move the jurisdictional trial Court for interim bail. If any such application is filed, the same shall be disposed of as expeditiously as possible.



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4. The writ petition is dismissed with the aforesaid liberty.

Consequently, connected miscellaneous petition is closed.

(G.R.S.,J.) (V.L.N.,J.)
29.05.2026

Index: Yes/No

Neutral Citation: Yes/No

mmi/ms

To

1. The Deputy Inspector General of Prison,
Gandhi Irwin Road, Egmore,
Chennai - 600 008.
2. The Superintendent,
Puzhal Central Prison II,
Puzhal-600 066.
3. The Public Prosecutor,
High Court, Madras.



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**G.R.SWAMINATHAN, J.
AND
V.LAKSHMINARAYANAN, J.**

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