



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-06-2026

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THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

WP CrI. No. 1428 of 2026

AND

WPMP CRL. NO. 493 OF 2026

Datchinamoorthy,
S/o. Raji,
No.3/8, Natarajan Street,
Thirumullai Nagar, Ramapuram,
Chennai - 600 089.
Now confined in
Central Prison-1,
Puzhal, Pid No.293983,
Chennai - 600 066.

..Petitioner(s)

Vs

1. The State of Tamil Nadu,

Represented by its Additional Chief Secretary to
Government,
Home (Prison-IV) Department,
Secretariat, Fort St. George,
Chennai - 600 009.

2. The Deputy Inspector General of Prisons,
Chennai Range,
Prison Head Quarters,
Whannels Road,
Egmore, Chennai - 600 008.



3. The Superintendent of Prisons,
Central Prison-I,
Puzhal, Chennai - 600 066.

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..Respondent(s)

Prayer: Writ petition filed under Article 226 of Constitution of India for issuance of a Writ of Certiorarified Mandamus calling for the records in the bearing No.209/mu.uu.1/2026 dated 23.05.2026 passed by respondent No.2 and quashing the same, and consequently directing the respondents to grant 28 days ordinary leave by without escort for petitioner namely Datchinamoorthy S/o. Raji aged about 55 years, Convict Prisoner, Pid No.293983, Central Prison -1, Puzhal and thus render justice.

For Petitioner(s): Ms.S.Nadhiya

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

ORDER

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

The petitioner is a convict, who is sentenced to undergo 10 years Rigorous Imprisonment and confined in Central Prison, Puzhal. He has sought ordinary leave of 28 days without escort for the reason that he had to make arrangements for repayment of debts taken for his son's marriage and also for his family's livelihood. The petition came to be rejected by way of the impugned order and the rejection is based on the adverse report of the Probation Officer, who says that his son is well employed and hence the reason cited relating to settlement of debt is not true. The Probation Officer also finds that



the wife of the petitioner is engaged as a daily labourer and is eking out a living.

Aggrieved by the rejection, the present writ petition has come to be filed.

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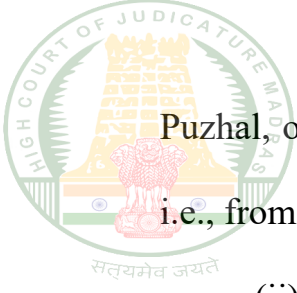
2. We have heard Ms. Nadhiya, learned counsel for the petitioner and Mr. C. R. Malarvannan, learned Counsel for the Government of Tamil Nadu (Criminal Side) for the respondents.

3. We find that the petitioner has undergone sentence of five years and 10 months out of the total sentence of 10 years. In the course of the sentence thus far, he has availed emergency leave on one occasion and ordinary leave of 21 days without escort granted by this Court in W.P.No.23988 of 2024.

4. Notwithstanding that the Probation Officer has found that one of the reasons in the representation is incorrect, the fact of the matter is, and the respondents do not deny this, the wife of the petitioner lives by herself as the children of the convict are married and living separately and is dependent on her earnings from daily labour. Hence, there is some merit in the plea of the convict for leave to make arrangements for the livelihood of his family.

5. The impugned order dated 23.05.2026 is hence set aside and the authority is directed to grant 28 days ordinary leave without escort on the following conditions:

(i) The respondents are directed to release the convict viz., Datchinamoorthy, S/o. Raji, aged about 55 years, confined at Central Prison-1,



Puzhal, on ordinary leave for a period of twenty eight (28) days without escort i.e., from 25.06.2026 to 22.07.2026.

(ii)The convict shall be released on 25.06.2026 at 10.00 A.M. and is directed to surrender before the Superintendent of Prisons, Central Prison-1, Puzhal, on 23.07.2026 before 10.00 A.M.

(iii)The convict shall report before the Inspector of Police, R11-Ramapuram Police Station everyday at 4.30 p.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. This writ petition is allowed.

Connected Miscellaneous Petition is closed.

(A.S.M.,J.) (S.M.,J.)

24-06-2026

vs

Index: Yes/No

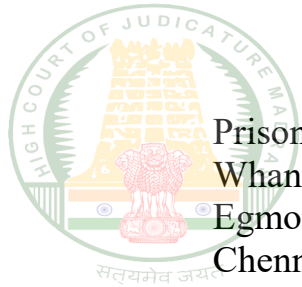
Speaking order

Neutral Citation: Yes

Note to Registry: Issue Today.

To

1. The Additional Chief Secretary to Government,
Home (Prison-IV) Department,
Secretariat,
Fort St.George,
Chennai - 600 009.
2. The Deputy Inspector General of Prisons,
Chennai Range,



Prison Head Quarters,
Whannels Road,
Egmore,
Chennai - 600 066.

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3. The Superintendent of Prisons,
Central Prison-I,
Puzhal,
Chennai - 600 066.
4. The Public Prosecutor, High Court of Madras.



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DR.ANITA SUMANTH J.

AND

SUNDER MOHAN J.

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