



WEB COPY



WP CrI. No. 507 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-03-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

**WP CrI. No. 507 of 2025
and WMP CrI. No.244 of 2025**

Y.Vasantha

..Petitioner

Vs

1. The Deputy Inspector of General of Prison,
Chennai Range,
Prison and Correctional Service,
Whannels Road,
Egmore, Chennai 600 008
2. The Superintendent of Prison,
Central Prison-1.
Puzhal, Chennai 66

..Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a WRIT OF CERTIORARIFIED MANDAMUS to call for the records No.NIL, dated 28.07.2025, passed by respondent No.2, and quash the same and consequently direct the respondents to grant 28 days ordinary leave to the petitioner's son namely Salim, Son of Yusuf, Convict.

For Petitioner:

Mr. P.Pugalenth



WP CrI. No. 507 of 2025

For Respondents: Mr. R. Muniyapparaj
Additional Public Prosecutor
assisted by
Mr. M. Sylvester John

ORDER

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

The mother of the convict has challenged the impugned order dated 28.07.2025, by which the 2nd respondent had rejected the request for 28 days ordinary leave for the convict

2. The learned counsel for the petitioner would submit that the petitioner is seriously ill and is taking treatment for an ailment in her lungs; that the impugned order of rejection is not justified; that the convict had challenged the earlier rejection of the request for granting ordinary leave to her son in WP No.3259 of 2025 and this Court had recorded that the probation officer had recommended grant of leave; that therefore the present probation officer's report is without any basis; and that the impugned order passed on such a report is liable to be set aside.



WEB COPY

3. (i) Mr.Muniyapparaj, the learned Additional Public Prosecutor, submitted that this Court had in the earlier writ petition recorded that a probation officer had given a favourable report and granted ordinary leave; and that the present probation officer had rejected the request of the petitioner since no documents were furnished by the petitioner to substantiate her ailment. He further submitted that the probation officer had also recorded the fact that the family members of the convict were not residing in the address found in the jail records and therefore, the convict is not entitled to grant of leave.

(ii) The learned Additional Public Prosecutor fairly produced the report of the earlier probation officer and the order dated 06.02.2025 passed by this Court in W.P.No.3259 of 2025.

4. The 2nd respondent as stated above has rejected the request for ordinary leave since the probation officer had not recommended the grant of leave on the ground that the reason stated for seeking leave is not true. It is the case of the petitioner that she suffers from an ailment and is



taking treatment for the said ailment and she requires the presence of her son, the convict for her assistance.

5. From the report of the probation officer produced by the learned Additional Public Prosecutor, it is seen that the probation officer has rejected the request since the petitioner had not produced any document to substantiate her illness and that the family members of the convict are not residing in the address mentioned in the jail records.

6. We are of the view that the second reason for rejection is totally irrelevant as even according to the probation officer, he met the petitioner, who had informed him about her illness. As regards the first reason viz., that the petitioner did not produce any documents to substantiate her ailments, we are of the view that the same is not justified, as another probation officer, six months earlier i.e., on 10.01.2025 had recommended ordinary leave since the petitioner and the other family members were sick.



WEB COPY

7. Therefore, we are of the view that the respondents ought not to have relied upon the report of the probation officer to reject the petitioner's request as the said report is without any basis and in any case, contrary to the earlier report. It is also not in dispute that the convict is entitled to 28 days ordinary leave considering his period of incarceration and the sentence imposed on him. Hence, we are inclined to set aside the impugned order and permit the petitioner's son/convict to avail ordinary leave for 28 days.

8. Accordingly, the impugned order dated 28.07.2025, is set aside and the petitioner's son / convict prisoner is permitted to avail ordinary leave for a period of 28 days without escort, commencing from tomorrow i.e., 25.03.2026 on the following conditions.

(i) Respondents are directed to release the Convict Prisoner viz., Salim S/o.Yusuf, aged about 36 years, bearing PID No.44891, confined at Central Prison-I, Puzhal, Chennai-66, on Ordinary Leave for a period of 28 days i.e., from 25.03.2026 to 21.04.2026.

(ii) The Convict Prisoner shall be released on 25.03.2026 at 10.00am and he shall surrender on



WEB COPY



WP CrI. No. 507 of 2025

21.04.2026 at 05.00 p.m. at the Central Prison-I, Puzhal,
Chennai-66.

(iii) The Convict Prisoner is directed to report before
the Inspector of Police, P2 Otteri Police Station, Chennai,
twice a week i.e., on every Monday and Thursday at
05.00p.m., during the period of leave.

9. With the above directions, the Writ Petition stands allowed.

Consequently, the connected Writ Miscellaneous Petition is closed.

(A.S.M.,J.) (S.M.,J.)
24-03-2026

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

Note to office:
Issue order copy today.
ars

To

1. The Deputy Inspector of General of Prison,
Chennai Range, Prison and Correctional Service,
Whannels Road, Egmore, Chennai 600 008

2. The Superintendent of Prison,
Central Prison-1. Puzhal, Chennai 66.

3. The Public Prosecutor, High Court, Madras.



WEB COPY



WP CrI. No. 507 of 2025

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

ars

WP CrI. No. 507 of 2025

24-03-2026

Page 7 of 7