



WEB COPY

WP CrI.No. 924 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.04.2026

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH
and
THE HONOURABLE MR.JUSTICE SUNDER MOHAN

W.P.CrI.No. 924 of 2025

Mr.Venkatajalapathy, (M/43),
S/o. Kolandaippan,
Convict Prisoner, CT No.3095, PID No. 57069,
Confining at Central Prison, Salem,
Hasthampatty, Salem – 7

.. Petitioner

VS

1.The State Rep. By its
The Deputy Inspector General of Prison,
Coimbatore Range, Gandhipuram,
Coimbatore – 641 012.

2.The Superintendent of Prison,
Central Prison at Salem,
Hasthampatty, Salem – 7.

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India
praying to issue a writ of certiorarified mandamus to call for the records
pertaining with the impugned proceedings in No. 846/Mu.O/2025 dated
20.08.2025 and quash the same and consequently direct the respondents
to grant 28 days leave without escort to the petitioner / Convict namely



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Mr.Venkatajalapathy, S/o. Kolandaiappan, CT No. 3095, (PID No. 57069).

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

ORDER

(Made by Dr. ANITA SUMANTH, J.)

The challenge in this writ petition is to an order rejecting the application for leave filed by the convict prisoner, one Venkatajalapathy, S/o.Kolandaiappan, presently confined in Central Prison, Salem.

2. Though date of conviction was on 19.12.2017, the convict has not sought leave till date. For the first time, he sought leave on 20.07.2025 which has come to be rejected by the Inspector on 20.08.2025 despite a positive order of the Probation Officer. The Probation Officer has looked into the facts of the case and his opinion is as follows:-

“Opinion of Probation Officer:

I have visited the home of the wife of Life convict on 18.06.2025. Life Convict prisoner's wife Smt. Parvathamma and her son vikram were at home during my visit. The petitioner's son Vikram has passed seventh standard and is going to eighth



standard at Good Shepherd School, Jaya Nagar, Bengaluru. However, he has not paid the school fees till now. Therefore, the school principal has asked him to pay the school fees and the petitioner is differently abled since birth and has an iron rod fitted on his right leg which now needs to be removed. Therefore, in vie of the great need of the petitioner, Venkatachalapathy, life-convicts leave may be considered. The report is submitted for consideration and further action.”

3. Despite the opinion as above, the Inspector, while rejecting the representation for leave has indicated that the family of the convict may not be so receptive to him coming home on leave. No specific details have been set out in the order of rejection as to why the family would not be inclined to receive him back and the reason is vague and unappealing.

4. In light of the same and also having regard to the fact that the convict has been in jail without any leave since 19.12.2017, we set aside the impugned order rejecting the request for leave and allow this writ petition, directing the authorities to release Venkatajalapathy, S/o. Kolandaiappan, Convict Prisoner, confined in Central Prison, Salem, for 28 days Ordinary Leave without escort, commencing from 09.04.2026 till 07.05.2026, on the following conditions:-

(i) The Convict Prisoner shall be released on 09.04.2026 at 10.00 am and he shall surrender before the Superintendent of Prisons, Central Prison, Salem on 07.05.2026 by 10.30 a.m.



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(ii) The Convict Prisoner is directed to report before the Inspector of Police, Banasankari Police Station everyday at 11.00 a.m., during the period of leave.

(iii) The Convict Prisoner shall utilize the leave only for the ground on which it has been granted and shall not indulge in any other activities.

There shall be no order as to costs.

[A.S.M, J.] [S.M, J.]
08.04.2026

Index:Yes/No

Neutral Citation:Yes

ssm

Note to Registry : Issue Today

To

1.The Deputy Inspector General of Prison,
Coimbatore Range, Gandhipuram,
Coimbatore – 641 012.

2.The Superintendent of Prison,
Central Prison at Salem,
Hasthampatty, Salem – 7.

3.The Public Prosecutor,
High Court, Madras.



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