



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-06-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

WP CrI. No. 1072 of 2025

AND

WPMP CRL. NO. 506 OF 2025

Kalaiyarasi
W/o. Balamurugan,
No.4/36, Mariamman Kovil Street,
Aamoor,
Villupuram District - 607209.

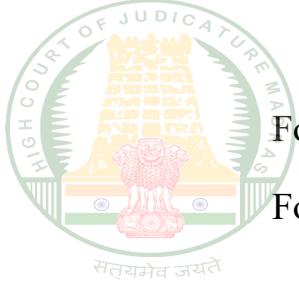
..Petitioner(s)

Vs

1. The Deputy Inspector General Of Prisons,
Vellore Range,
Vellore - 632002.
2. The Superintendent of Prison,
Central Prison,
Cuddalore - 4.

..Respondent(s)

PETITION filed under Article 226 of The Constitution of India praying for the issuance of Writ of Certiorarified Mandamus to call for the records No. RO-VLR/374/2025(CAMP(A), dated 09.04.2025 passed by respondent No.1 and quash the same and consequently direct the respondents to grant 30 days ordinary leave to the petitioner's husband namely Balamurugan S/o Perumal, aged 47 years, PID No.290402, Convict Prisoner, now confined in the Central Prison, Cuddalore.



For Petitioner(s): P.Pugalenth

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

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ORDER

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

Balamurugan S/o Perumal is a convict in the Central Prison, Cuddalore. His wife has approached this Court challenging the rejection of request for ordinary leave.

2.We have heard Mr.P.Pugalenth, learned counsel for the petitioner and Mr.C.R.Malarvannan, learned counsel for the respondents.

3.The petitioner's submission is to the effect that the convict has been in prison for more than 5 years, there are bonafide reasons for the leave to be granted, such as, renovation of his house and his father's illness and that he has been granted leave earlier by this Court.

4.Learned counsel for the respondent on the other hand draws our attention to Rule 21(b) of the Tamil Nadu Suspension of Sentence Rules, 1982, which sets out a bar in respect of those convicts, who have been convicted under Section 397 of IPC. This is the same reason as set out in the impugned order as well.



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5. Having heard the learned counsel, we are of the considered view that the writ petition is liable to be allowed. The report of the Probation Officer is to the effect that as far the renovation of the convict's house is concerned, it has been found to be necessary. He has also found that the father's illness is genuine, though he has stated that the reason cited by the convict relating to his mother's illness is false. That apart, there has been no untoward statement or observation in regard to the convict's behaviour in the jail or any other remaining threat either to himself or to society, if he were to be granted leave.

6. This Court in W.P.No.30339 of 2024 had considered the request of leave for 21 days and had released the convict between 25.10.2024 to 14.11.2024. There appears to be no change in circumstances from then to now.

7. In the light of the discussion as aforesaid, we direct the authorities to permit Balamurugan S/o Perumal, aged 47 years to avail leave of 21 days subject to the following conditions:

(i) The respondents are directed to release the convict viz., Balamurugan, S/o. Perumal, aged about 47 years, confined at Central Prison, Cuddalore, on ordinary leave for a period of twenty one (21) days without escort i.e., from 06.06.2026 to 26.06.2026.



(ii) The convict shall be released on 06.06.2026 at 10.00 A.M. and is directed to surrender before the Superintendent of Prisons, Central Prison, Cuddalore, on 27.06.2026 before 10.00 A.M.

(iii) The convict shall report before the Thiruvannainallur Police Station, once in a week, i.e., on every Monday at 10.30 A.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.

Connected Miscellaneous Petition is closed.

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

04-06-2026

Index: Yes/No

Speaking order

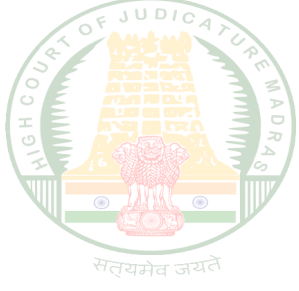
Neutral Citation: Yes

vs

Note to Registry: Issue order copy by 05.06.2026.

To

1. The Deputy Inspector General Of Prisons,
Vellore Range, Vellore - 632002.
2. The Superintendent of Prison,
Central Prison, Cuddalore - 4.
3. The Public Prosecutor, High Court, Madras.



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