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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.10.2026

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

AND

THE HON'BLE MR. JUSTICE B.KARTHIKEYAN

W.P.Crl.No.2877 of 2026
and
WPMP.Crl.No.1054 of 2026
CNR: {HCMA012587132026}

Jayakumar

..Petitioner(s)

Vs.

1. The Deputy Inspector General of Prisons,
Prison Headquarters,
Whannels Road, Egmore, Chennai.

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

3. The Inspector of Police,
Kottur Police Station,
Mannarkudi.

..Respondent(s)

Prayer: Writ Petition (Criminal) filed under Article 226 of the Constitution of India, seeking to issue a Writ of Certiorarified Mandamus, calling for the records of the impugned order passed by the respondent No.1 bearing No.255/mu.uu.1/2026 dated 01.06.2026, quash the condition of 'with police escort' and consequently, direct the respondents to grant 21 days of ordinary leave 'without police escort' to the petitioner, namely, Jaikumar, S/o. Sivanandham, aged about 48 years, PID No.57028, presently confined in the Central Prison-1, Puzhal, Chennai.

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For Petitioner(s) : Ms.S.Nadhiya

For Respondent(s) : Mr.C.R.Malarvannan,
Additional Public Prosecutor

ORDER

(Made by A.D.JAGADISH CHANDIRA, J.)

This Writ Petition (Criminal) has been filed challenging the order dated 01.06.2026 passed by the first respondent, granting twenty one days ordinary leave 'with police escort' to the petitioner/the convict prisoner and seeking a consequential direction to the first respondent to grant ordinary leave to him, 'without escort'.

2. The brief facts of the case are as follows:-

2.1 The petitioner was convicted and sentenced to life imprisonment, pursuant to the judgment dated 02.03.2023 passed in Sessions Case No.01 of 2019 on the file of the Mahila Court, Allikulam. Consequently, the petitioner is currently undergoing incarceration as a life convict and has been confined in prison for more than three years.

2.2 The petitioner's wife is a person with 65% disability, and his mother is suffering from various age-related ailments. Since the petitioner's presence is required to arrange medical treatment for his mother, as well as to provide essential assistance and moral support to his family, he submitted a

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representation dated 02.05.2026 to the respondents seeking 21 days ordinary leave. Pursuant to the same, the 1st respondent, *vide* impugned order dated 01.06.2026, granted twenty-one days of ordinary leave to the petitioner, but with police escort. Aggrieved by the said condition, the petitioner has approached this Court.

3. Learned counsel for the petitioner submitted that the petitioner/convict prisoner was on bail during the trial and he had not misused the said liberty. She further submitted that the petitioner is ready to abide by any condition that may be imposed by this Court, and gave an undertaking that the petitioner would return to the prison upon the expiry of the leave period. Accordingly, she prayed for appropriate orders permitting the petitioner to avail 21 days of ordinary leave without escort.

4. Per contra, the learned Additional Public Prosecutor appearing for the respondents submitted that since this is the first leave application of the petitioner/convict prisoner, the leave must be granted necessarily with escort.

5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case, and taking note of the fact that the petitioner was on bail during the trial, during which period no

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untoward incident was reported, this Court sets aside the impugned order only to the extent that it directs grant of 21 days ordinary leave 'with police escort' and consequently, directs the 1st respondent to grant 21 days ordinary leave 'without escort' to the petitioner/convict prisoner with the following directions:-

(i) On expiry of the leave, the petitioner/convict prisoner shall surrender before the prison authorities without fail;

(ii) During the leave period, the petitioner/convict prisoner shall report before the 3rd respondent Police, daily at 06.30 p.m., without fail and shall abide by all the conditions prescribed in the Prison Manual; and

(iii) The petitioner/convict prisoner shall utilize the leave only for the reason for which it has been granted and shall not partake in any other activities.

7. Accordingly, this Writ Petition (Criminal) stands **disposed of**. No costs. Consequently, the connected Miscellaneous Petition is closed.

(A.D.J.C., J.) (B.K., J.)
30.10.2026

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Neutral Citation: Yes/No

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To:

1. The Deputy Inspector General of Prisons,
Prison Headquarters,
Whannels Road, Egmore, Chennai.

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

3. The Inspector of Police,
Kottur Police Station,
Mannarkudi.

4. The Public Prosecutor,
Madras High Court.

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A.D.JAGADISH CHANDIRA, J.
AND
B.KARTHIKEYAN, J.

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