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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-11-2026

Case QR

CORAM

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

AND

THE HON'BLE MR. JUSTICE B.KARTHIKEYAN

W.P.Crl.No.3146 of 2026
and W.P.M.P.Crl.No.1153 of 2026

CNR: {HCMA012784442026}

Mani ..Petitioner(s)

Vs

1. The State rep. by,
   The Deputy Inspector General Of Prisons
   Coimbatore Range,
   Coimbatore – 641 018.

2. The Superintendent,
   Coimbatore Central Prison,
   Coimbatore – 641 018.

3. The Inspector of Police
   Anaimalai Police Station,
   Coimbatore District. ..Respondent(s)

PRAYER: Writ Petition (Criminal) is filed under Article 226 of the Constitution of India to issue a Writ or order or orders or direction particularly in the nature of Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order bearing No.971/Tha.U.1/2026, dated 30.10.2026, passed by the 1st respondent and quash the same and consequently direct the respondents to grant ordinary leave for 28 days without escort to detenu, Arun @ Arun Kumar, S/o Mani, aged 37 years convict prisoner, bearing PID No.30179, at Central Prison, Coimbatore.

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For Petitioner(s): Mr.S.Pandiyan

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

ORDER

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

Challenging the order dated 30.10.2026, passed by the first respondent, rejecting the request of the petitioner for granting his son/convict prisoner twenty eight days ordinary leave without escort and seeking a consequential direction to the respondents to grant twenty eight days ordinary leave to his son/convict prisoner, this Writ Petition (Criminal) has been filed.

2. The submissions of the learned counsel for the petitioner are as follows:

2.1. The petitioner's son, Arun @ Arun Kumar (PID No.30179), who is a convict prisoner, has been undergoing incarceration for more than nine years pursuant to the judgment dated 23.01.2017, passed in S.C.No.125 of 2014, on the file of the Sessions Court (FTC), Tiruppur, which was subsequently confirmed by this Court and the appeal filed against the same is pending before the Hon'ble Apex Court.

2.2. The petitioner sent a representation dated 18.09.2026 to respondents 1 and 2 seeking ordinary leave for his son/convict prisoner to

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enable him to make financial arrangement for the livelihood of the petitioner and his wife. However, based on the report given by the Probation Officer that the reason for which the leave is sought is not true, the first respondent, by the impugned order dated 30.10.2026, rejected the same.

2.3. The petitioner's son/convict prisoner had already been granted leave on two occasions during the years 2024 and 2025, during which no untoward incident had happened. Though the Probation Officer has stated that the reason for which leave is sought is not true, the convict prisoner is otherwise eligible for his usual ordinary leave.

2.4. Hence, the impugned order dated 30.10.2026 may be set aside and the petitioner's son/convict prisoner may be granted ordinary leave for twenty eight days without escort.

3. Learned Additional Public Prosecutor submitted that since the reasons stated by the petitioner are not true and there is a life threat to the convict prisoner from the affected persons, the request of the petitioner was rejected. He, however, submitted that the petitioner's son/convict prisoner had earlier availed leave on two occasions.

4. Heard both sides and perused the materials available on record, including the proforma produced by the respondents.

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5. Considering the fact that the petitioner's son/convict prisoner has been in incarceration for more than nine years and though the reason for which leave is sought may not be correct, the convict prisoner is entitled to his usual ordinary leave and further finding that he was earlier granted leave on two occasions and no untoward incident occurred on those occasions, we are inclined to grant ordinary leave to the petitioner's son/convict prisoner.

6. Accordingly, the impugned rejection order dated 30.10.2026, passed by the first respondent, is hereby set aside and consequently, the first respondent is directed to grant twenty eight days ordinary leave without escort to the petitioner's son/convict prisoner (PID No.30179), subject to the following directions:-

(a) The petitioner shall produce all necessary documents, along with a copy of this order, before the prison authorities;

(b) During the leave period, the convict prisoner shall report before the third respondent police everyday at 06.30 p.m., without fail and shall strictly abide by all the conditions prescribed in the Prison Manual;

(c) The convict prisoner shall report back to the second respondent on completion of the leave period, without fail; and

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(d) The convict prisoner shall utilise the leave only for the reason for which it has been granted and shall not partake in any other activity.

7. With the above directions. this Writ Petition (Criminal) is allowed. No costs. Consequently, the connected miscellaneous petition is closed.

(A.D.J.C., J.) (B.K., J.)
23-11-2026

Neutral Citation: Yes/No
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To

1. The Deputy Inspector General Of Prisons
   Coimbatore Range,
   Coimbatore – 641 018.

2. The Superintendent,
   Coimbatore Central Prison,
   Coimbatore – 641 018.

3. The Inspector of Police
   Anaimalai Police Station,
   Coimbatore District.

4. The Public Prosecutor,
   High Court of Madras.

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AND
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