



WEB COPY



W.M.P.Crl.(MD)No.389 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.04.2026

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

and

THE HONOURABLE MR. JUSTICE **N.SENTHILKUMAR**

W.M.P.Crl(MD).No 389 of 2026

in

W.P.Crl.(MD)No.1232 of 2026

Kavitha,
W/o.Chelladurai,
No.11/13, Saral Nagar,
Gunaramanallur,
Tirunelveli – 627 814.

..Petitioner(s)

Vs

1. The State Rep. By its
The Secretary to Government of Tamil Nadu,
Home (Prison-IV) Department,
The Secretariat of Tamil Nadu,
Chennai – 600 009.

2. The Deputy Inspector General of Prison,
Madurai Range,
Central Prison Madurai,
Madurai – 625 001.

3. The Superintendent,
Central Prison Palayamkottai,
Palayamkottai – 620 020.



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4. The Superintendent of Police,
Office of Superintendent of Police,
Tirunelveli – 627 002.

5. The Inspector of Police,
Courtrallam Police Station,
Tirunelveli – 627 802.

..Respondent(s)

PRAYER : Writ Miscellaneous Petition is filed under Article 226 of the Constitution of India, to modify the condition-(i) in order passed by this Court in W.P.Crl.(MD).No.1232 of 2026 dated 27.02.2026, to the detenue Chelladurai, S/o. Rajendran, aged about 40 years, convict No.2260 (PID No. 16980) confined at Central Prison, Palayamkottai as without escort.

For Petitioner (s): Mr.S.Manoharan

For Respondent(s): Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

[order of the Court was made by G.K.ILANTHIRAIYAN, J.]

This petition has been filed to modify the condition-(i) in order passed by this Court in W.P.Crl.(MD).No.1232 of 2026 dated 27.02.2026, thereby granting 28 days ordinary leave with escort to the petitioner's husband namely, Chelladurai, S/o. Rajendran, aged about 40 years, convict No.2260 (PID No.16980) confined at Central Prison, Palayamkottai, as without escort.



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2. The learned counsel appearing for the petitioner submitted that the petitioner is residing with her son and mother-in-law and the petitioner is suffering from HIV for more than 16 years and undergoing treatment at the Government Hospital, Tenkasi. The petitioner's husband has also been afflicted by HIV and he is under treatment incarcerated in the prison. If the petitioner's husband comes on leave, he will assist the petitioner in attending medical treatment and provide care and support to his son and mother. Hence, he prayed to modify the condition and grant leave without escort.

3. The learned Additional Public Prosecutor appearing for the respondents submitted that during the earlier parole the petitioner's husband absconded for three months and thereafter he was secured by the Intelligent Wing and confined at the Central Jail, Palayamkottai. Hence, he prays to dismiss the present petition.

4. Considering the above facts and circumstances, this Court is inclined to modify the conditions on the following conditions:-

(i) the respondents are directed to grant ordinary leave without escort to the convict prisoner namely Chelladurai, S/o. Rajendran, aged about 40 years, convict No.2260, PID No.16980, confined at Central Prison, Palayamkottai



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from 27.04.2026 to 25.05.2026. The convict prisoner shall be released from the prison on 27.04.2026 at 6.00 a.m.

(ii) the convict prisoner shall report before the Inspector of Police, Courtallam Police Station, Tirunelveli, daily at 5.30 p.m., till the completion of leave period.

(iii) the convict prisoner shall report back to the Superintendent of Prison, Central Jail, Playamkottai viz., third respondent, by 25.05.2026 at 6.00 p.m., without fail.

(iv) The petitioner shall produce all necessary documents, along with a copy of this Order, before the jail authorities.

(v) During the leave period, the convict prisoner shall abide by all the conditions prescribed in the Jail Manual.

5. With the above directions, the Writ Miscellaneous Petition stands ordered.

[G.K.J.,J.] [N.S., J.]
20.04.2026

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
rts



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To
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1. The Secretary to Government of Tamil Nadu,
Home (Prison-IV) Department,
The Secretariat of Tamil Nadu,
Chennai – 600 009.
2. The Deputy Inspector General of Prison,
Madurai Range,
Central Prison Madurai,
Madurai – 625 001.
3. The Superintendent,
Central Prison Palayamkottai,
Palayamkottai – 620 020.
4. The Superintendent of Police,
Office of Superintendent of Police,
Tirunelveli – 627 002.
5. The Inspector of Police,
Courtrallam Police Station,
Tirunelveli – 627 802.
6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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and
N.SENTHILKUMAR, J.

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