



W.P.Crl.(MD) No.105 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.01.2026

CORAM:

**THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN
and
THE HONOURABLE MS.JUSTICE R.POORNIMA**

W.P.Crl.(MD) No.105 of 2026

Thulasi

... Petitioner

-VS-

**1.The Home Secreatary
Home Department(Prison)
Secretariat, Fort St.George,
Chennai- 600 009.**

**2. The Deputy Inspector General of Prisons
Madurai Range
Madurai- 632002**

**3.The Superintendent of Prison
Central Prison,
Palayamkottai- 627007**

**4. The Inspector of Police
Madagupatti Police Station
Sivagangai District**

....Respondents.

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a writ of Writ of Certiorarified Mandamus, calling for the records relating to the proceedings in No.814/Utha.2/2025 by the second respondent dated 04.08.2025 and quash the same and direct the third respondent to grant 28 days



W.P.Crl.(MD) No.105 of 2026

ordinary leave without escort to the petitioner's husband, prisoner Selvam@ Arul Pandian, S/o. Krishnan, PID No.134658 who is currently lodged in Central Prison, Palayamkottai.

For Petitioner : Mr.P.M.Basil
For Respondents : Mr.T.Senthil Kumar
Additional Public Prosecutor
O R D E R

(Order of the Court was made by G.K.ILANTHIRAIYAN,J.,)

The prayer in the Writ Petition is to quash the impugned order passed by the second respondent in No.814/Utha.2/2025 dated 04.08.2025 and direct the third respondent to grant 28 days ordinary leave without escort to the petitioner's husband, namely Selvam@ Arul Pandian, S/o. Krishnan, PID No. 134658 who is currently lodged in Central Prison, Palayamkottai.

2. The petitioner is the wife of the convict prisoner. Her husband was convicted for the offences under Sections 366(A) of IPC, Sections 10 r/w.9(g), 6 r/w.5(h) and 5(g) of POCSO Act and 352 of IPC and sentenced to undergo life imprisonment in Spl.S.C. No.10 of 2019 by the Sessions Court, Mahalir Neethimandram, Madurai. Aggrieved by the same, the convict also preferred an appeal before this Court in Crl.A(MD) No.542 of 2022 and the same was also confirmed by this Court and against which he has not filed any appeal before



W.P.Crl.(MD) No.105 of 2026

the Hon'ble Supreme Court. Further the husband of the petitioner is also facing trial in Crime No.315 of 2022 on the file of the Perumalpuram Police Station under Section 42 of Prison Act and Crime No.07 of 2019 on the file of the Karimedu Police Station for the offences under Sections 294(b), 353 and 506(ii) of IPC. The husband of the petitioner is in jail for more than three years. While being so, the petitioner being the wife of the convict submitted a representation seeking 28 days ordinary leave for her husband on the ground to meet out the financial necessity for her livelihood and also to confirm his daughter's education, however the same was rejected on the ground that the husband of the petitioner is also facing trial in two other cases. While pending trial, the convict is not entitled for ordinary leave as per Rule 25 of the Tamil Nadu Suspension of Sentence Rules.

3. The learned counsel appearing for the petitioner would submit that the family of the petitioner is suffering from financial crisis and she is not able to give good education to the children and therefore if the petitioner's husband visits the house for about 28 days she will settle the financial crisis of the family.



W.P.Crl.(MD) No.105 of 2026

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4. The learned Additional Public Prosecutor, on instructions, submitted that the convict is not eligible for ordinary leave when he is facing two other pending cases and rule does not permit to grant ordinary leave, however the petitioner can very well seek emergency leave on other grounds.

5. In view of the same, this Court does not find any infirmity or illegality in the order passed by the second respondent, hence the petition stands dismissed. However the petitioner is at liberty to submit a fresh representation seeking emergency leave on valid grounds.

[G.K.I., J.] [R.P., J.]
09.01.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To:

1.The Home Secreatary
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Secretariat, Fort St.George,
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W.P.Crl.(MD) No.105 of 2026

2. The Deputy Inspector General of Prisons
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4. The Inspector of Police
Madagupatti Police Station
Sivagangai District

5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.K.ILANTHIRAIYAN, J.
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