



W.P.CrL.(MD) No.535 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.02.2026

CORAM:

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

**W.P.CrL.(MD) No.535 of 2026
and
WMP.CrL.(M)No.138 of 2026**

G.Isakimani

... Petitioner

-vs-

The State Rep.by

**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,Madurai Prison
Maduri- 625 001**

**3. The Superintendent
Central Prison, Palayamkottaim
Palayamkottai**

**4. The Superintendent of Police
Office of the Superintendent of Police
Tirunelveli**

**5. The Inspector of Police
P6 Police Station,
KVR Nagar, Karuvampalayam
Tirupur- 641 604**

..Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified mandamus calling for the records pertaining to the impugned order No.4520/Tha.ku.2/2025 dated 27.10.2025 issued by the second respondent and quash the same and consequently direct the second respondent to grant leave for one month without escort to the detenu Ganesan, S/o.Arunachalam, aged about 68 years, convict No.4520, PID No.34521 detained at Central Prison, Palayamkottai

For Petitioner : Mr.S.Manoharan

For Respondents : Mr.T.Senthil Kumar
Additional Public Prosecutor

ORDER

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

The prayer in the petition is to quash the impugned order passed by the second respondent in No.4520/Tha.ku.2/2025 dated 27.10.2025 and direct the second respondent to grant leave for one month without escort to the detenu Ganesan, S/o.Arunachalam, aged about 68 years, convict No.4520, PID No. 34521 detained at Central Prison, Palayamkottai

2. It is the case of the petitioner that her husband was convicted by the Additional Sessions Court, Tirunelveli in S.C.No.253 of 1986 on 18.03.1987 for the offences under Section 302 of IPC and sentenced to undergo life imprisonment, which was also confirmed by this Court in Crl.A(MD) No.



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223 of 1987 on 01.04.1992. While being so, the petitioner being wife of the convict submitted representation seeking 30 days ordinary leave to her husband on the ground that she is suffering from illness and there is nobody to look after her, however it was rejected on the ground that earlier when the husband of the petitioner was granted leave in the year 1995 he absconded and did not surrender. He was secured only in the year 2016 and confined to Central Prison.

3. As per Rule 21(i) of Tamil Nadu Suspension of Sentence Rules, 1982, once the convict has violated the condition he is not eligible for any leave

4. The learned counsel appearing for the petitioner submits that after securing, the conduct of the convict is good and he has not committed any offence during his confinement.

5. Maintaining good conduct in the prison is not a criteria to consider the leave for the convict. Once the convict has violated the condition while he was on leave and that he was secured after a long period, he is not eligible for leave. In view of the same, this Court finds no infirmity or illegality in the order passed by the second respondent.



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6. Hence the petition stands dismissed. However the petitioner is at liberty to make a fresh representation with valid grounds .The jail authorities must ensure that the medical records produced by the petitioner shall be from the Government Authorized hospital. Consequently connected miscellaneous petition stands closed.

[G.K.I., J.] [R.P., J.]
03.02.2026

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

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, Madurai Prison
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Central Prison, Palayamkottaim
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4. The Superintendent of Police
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6. The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.



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