



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

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.02.2026

CORAM:

**THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN
and
THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR**

**W.P.CrL.(MD) No.1232 of 2026
and
WMP.CrL.(MD) No.310 of 2026**

Kavitha

... Petitioner

-VS-

**1. The Secretary to Government of Tamil Nadu
Home (Prison-IV) Department
The Secretariat of Tamil Nadu
Chennai- 9**

**2. The Director Inspector of General of Prisons
Madurai Range, Madurai Central Prison Campus
New Jail Road, Madurai**

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

**4. The Superintendent of Police
O/o. The Superintendent of Police
Tirunelveli**

**5. The Inspector of Police
Courtallam Police Station,
Tirunelveli**

..Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified mandamus to call for the records pertaining to the impugned order bearing No.135/Vu.tha.2/2026 dated 09.02.2026 passed by the second respondent and quash the same and consequently direct the respondents to grant ordinary leave for 40 days without escort to the detenu Chelladurai, S/o.Rajendran, aged about 40 years convict No.2260, PID No.16980 confined at Central Prison, Palayamkottai.

For Petitioner : Mr.R.Narayanan

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.135/Vu.tha.2/2026 dated 09.02.2026 and direct the respondents to grant ordinary leave for 40 days without escort to the detenu Chelladurai, S/o.Rajendran, aged about 40 years convict No.2260, PID No. 16980 confined at Central Prison, Palayamkottai

2. It is the case of the petitioner that her husband was convicted in S.C.No.107 of 2011 and sentenced to undergo life imprisonment for the offence under Section 302 of IPC by the Additional Sessions cum Fast Track Court No.II, Tirunelveli. Aggrieved over the same, the convict has not preferred an appeal . While being so, the petitioner being wife of the convict submitted



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representation seeking 40 days ordinary leave, however it was rejected by the second respondent on the ground that while on parole the convict absconded for three months, therefore considering his previous conduct the request made by the petitioner seeking ordinary leave was rejected.

3.The learned Additional Public Prosecutor, on instructions submitted that the husband of the petitioner has not completed 14 years of imprisonment and thereby he is not eligible for 40 days ordinary leave.

4. Considering the facts and circumstances of the case, this Court is inclined to grant 28 days ordinary leave to the convict with escort.

5. Accordingly, the impugned order passed by the second respondent is set aside and writ petition is disposed of with the following directions:

- (i) The respondents are directed to grant 28 days ordinary leave with 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 from 02.03.2026 to 29.03.2026. The convict prisoner shall be released from the prison



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on 02.03.2026 at 6.00 am.,

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(ii) He shall report back to the Superintendent of Prison, Central Jail, Palayamkottai / third respondent, by 29.03.2026 at 6.00pm.,

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

(iv) During the leave period, the convict prisoner shall abide by all the conditions prescribed in the Jail Manual. Consequently connected miscellaneous petition stands closed.

(v) The escort charges shall be borne by the petitioner and if necessary, the same shall be adjusted from the income earned by the convict prisoner during the imprisonment period. Consequently connected miscellaneous petition stands closed.

[G.K.I., J.] [N.S, J.]
27.02.2026

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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Note: Issue order copy on 27.02.2026



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To:

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The Secretariat of Tamil Nadu
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5. The Inspector of Police
Courtallam Police Station,
Tirunelveli
6. The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.



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G.K.ILANTHIRAIYAN, J.
and
N.SENTHILKUMAR, J.

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