



W.P.Crl..(MD).No.1398 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.03.2026

CORAM

**THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH
AND
THE HONOURABLE MR.JUSTICE K.K.RAMKRISHNAN**

**W.P.Crl.(MD).No.1398 of 2026
and
W.M.P.(MD).No.347 of 2026**

Yokanayaki

..... Petitioner

Vs.

- 1.The Home Secretary,
Home Department (Prison),
Secretariat,
Fort St. George,
Chennai - 600 009.
- 2.The Deputy Inspector
General of Prison, Trichy Range,
Trichy District.
- 3.The Superintendent of Prison,
Trichy Central Prison, Trichy District.
- 4.The Inspector of Police,
Nangavaram Police Station,
Karur District.

..... Respondents



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Prayer : Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the proceedings in No.5941/Thaku.4/2024(CPTRY/312/2026-R1(ASST) issued by the third respondent dated 14.02.2026 quash the same and consequently direct the third respondent to grant 28 days ordinary leave without escort to the petitioner's brother Jayakandhan s/o Samykannu, PID No.39868.

For Petitioner : Ms.R.Jenifer Bibin

For Respondents : A.Thiruvadi Kumar,
Additional Public Prosecutor

ORDER

[Order of the Court was made by N.ANAND VENKATESH, J.]

This writ petition has been filed challenging the impugned proceedings of the third respondent made in No.5941/Thaku.4/2024(CPTRY/312/2026-R1(ASST) dated 14.02.2026 and for a direction to the third respondent to grant 28 days ordinary leave without escort to the petitioner's brother, who is a life convict and presently serving sentence at the Central Prison, Trichy.



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2. Heard the learned counsel on either side.

3. The petitioner's brother is a life convict and he has undergone sentence for nearly four years. The petitioner submitted a representation on 02.02.2026 to the third respondent seeking for ordinary leave on the ground that the petitioner is suffering from some ailment and requires treatment and therefore wanted the assistance of the detenu and the detenu was also suffering from knee joint pain, which led to a ligament tear and reconstruction was done and therefore, treatment was also required for the detenu.

4. The third respondent through the impugned proceedings dated 14.02.2026 rejected the representation mainly on the ground that there is a pending case against the detenu in C.C.No.185 of 2019 before the II Additional Sessions Court, Trichy. Aggrieved by the same, the present writ petition has been filed before this Court.

5. A counter-affidavit has been filed by the third respondent and the third respondent has taken a stand that the reasons assigned by the petitioner seeking for ordinary leave was found to be in-correct. The



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Probation Officer had verified as to whether the petitioner was suffering from any ailment and it was found that the petitioner did not suffer from any such ailment. Apart from that, the detenu was involved in a double murder case and therefore, there was some opposition from the aggrieved family. Insofar as knee surgery underwent by the detenu is concerned, it was found that the detenu was clinically stable and a medical certificate to that effect was also given by the Assistant Surgeon of the Central Prison, Trichy.

6. This Court carefully considered the submissions made on either side and the materials available on record.

7. In the considered view of this Court, the only close relative available for the detenu is the petitioner, who is the sister. The detenu does not have parents and he has also not married. Therefore, the petitioner, who is a sister, is seeking for some assistance from the detenu. Apart from that, it is also seen that the detenu had undergone knee surgery and the petitioner wants to ensure that the detenu is given sufficient treatment.

8. In view of the above, we are inclined to interfere with the impugned proceedings of the third respondent dated 14.02.2026 and accordingly, the same is hereby set aside. There shall be a direction to the



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third respondent to grant ten days ordinary leave to the detenu without police escort. During the entire period of ordinary leave, the detenu shall report before the fourth respondent Police Station daily at 06.00 p.m. Apart from that condition, the detenu is permitted to execute the sureties before the Superintendent of Prison, Trichy, instead of executing the sureties before the Tahsildar and two sureties shall be the family members of the detenu. The other conditions imposed by the third respondent shall stand as it is.

9. This Writ Petition (Criminal) is disposed of in the above terms. Consequently, the connected miscellaneous petition is closed.

[N.A.V., J.] & [K.K.R.K., J.]
26.03.2026

NCC : Yes / No
Index : Yes / No
TSG

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