



W.P.Crl.(MD).No.2546 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.06.2026

CORAM

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

W.P.Crl.(MD).No.2546 of 2026

Karnan

Vs.

..... Petitioner

1.The Deputy Inspector of General of Prison,
O/o. the Deputy Inspector General of Prison and
Correctional Services,
Madurai Range,
Madurai Central Prison Campus,
New Jail Road,
Madurai.

2.The Superintendent of Prison,
Central Jail, Madurai.

3.The Superintendent of Police,
O/o. the Superintendent of Police,
Theni District.

4.The Inspector of Police,
Uttamapalayam Police Station,
Theni.

..... Respondents



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Prayer : Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records passed by Respondent No.1 in No. 1253/Utha.2/2025 dated 17.02.2026 and quash the same as bad in law and in the nature of writ directing the respondent nos.1 and 2 to grant ordinary leave without escort for a period of 15 days to the petitioner's brother, namely, Kutty Kumar s/o. Paramasivam (C.P.No.4846) PID No.34601 who is languishing in the Madurai Central Prison.

For Petitioner : Ms.Dr.Lakhmi Prasanna Komara

For Respondents : Mr.T.Lenin Kumar,
Counsel for State of Tamil Nadu,
(Criminal Side)

ORDER

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

This writ petition has been filed challenging the proceedings of the first respondent made in No. 1253/Utha.2/2025 dated 17.02.2026 and for a consequential direction to the first and second respondents to grant ordinary leave without escort for a period of fifteen days to the petitioner's brother, who is presently serving sentence at Central Prison, Madurai.

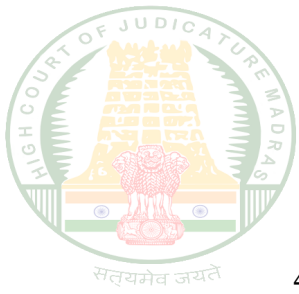


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2. Heard the learned counsel on either side.

3. The petitioner is the brother of the convict. The petitioner's brother is a life convict, who is serving sentence at Central Prison, Madurai. The petitioner submitted a representation seeking for ordinary leave on the ground that the mother of the convict is suffering from serious health ailments and that she required immediate treatment and hence, the convict's physical and emotional support is required. The representation made by the petitioner came to be rejected by the first respondent through the impugned proceedings dated 17.02.2026 on the ground that on an earlier occasion, the convict was granted emergency leave in the year 2013 and the convict was supposed to return back to the prison on 11.06.2013 and whereas, he absconded and he was able to be secured only in the year 2017. Hence, the first respondent has relied upon the relevant Rules and the Government Orders to deny the ordinary leave sought for by the petitioner for the convict. Aggrieved by the same, the present writ petition has been filed.



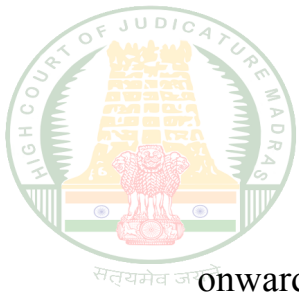
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4. The second respondent has filed a counter-affidavit. In the counter-affidavit, it is stated that the life convict, who was granted emergency leave from 04.06.2013 to 11.06.2013 did not return back to the prison on the expiry of the leave and he absconded and he was able to be secured only on 27.06.2017. Therefore, the respondents have taken a stand that the convict prisoner is not eligible for ordinary leave as per Rule 21(i) of the Tamil Nadu Suspension of Sentence Rules 1982 and as per G.O. (Ms).No.205, Home (Pri-5) Department, dated 25.04.2022. It is also mentioned in the counter-affidavit that the life convict had availed emergency leave on eight occasions and ordinary leave on one occasion during the period from 2020-2026.

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

6. The life convict has suffered sentence for 13 years, 11 months and 17 days as on 19.05.2026. The life convict had absconded during the year 2013 and he was secured only in the year 2017. Even thereafter, the convict has been granted emergency leave and ordinary leave from 2020



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onwards and nothing untoward took place and he has complied with the conditions. Therefore, we are inclined to interfere with the impugned proceedings of the second respondent made in No. 1253/Utha.2/2025 dated 17.02.2026 and the same is hereby quashed.

7. There shall be a direction to the first respondent to grant 15 days ordinary leave to the convict subject to the condition that he will report before the Inspector of Police, Rayappanpatti Police Station, Theni District daily at 05.00 p.m., during the entire period of ordinary leave.

8. In the result, this Writ Petition (Criminal) stands allowed.

[N.A.V., J.] & [K.K.R.K., J.]
03.06.2026

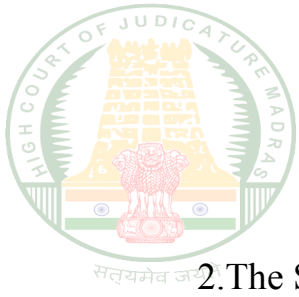
NCC : Yes / No

Index : Yes / No

TSG

Copy to

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O/o. the Deputy Inspector General of Prison and
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2.The Superintendent of Prison,
Central Jail, Madurai.

3.The Superintendent of Police,
O/o. the Superintendent of Police,
Theni District.

4.The Inspector of Police,
Uttamapalayam Police Station,
Theni.

5.The Inspector of Police,
Rayappanpatti Police Station, Theni District.

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



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AND
K.K.RAMAKRISHNAN, J.

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