



W.P.CRL.(MD).No.2504 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.04.2026

CORAM

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

W.P.Crl.(MD).No.2504 of 2026

Moorthy

..... 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,
Singampunari Police Station,
Sivagangai District.

..... Respondents

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 RO-TRY/196/2026-CA issued by the 2nd respondent dated 08.04.2026 quash the same and consequently direct the 3rd respondent to grant 28 days ordinary leave without escort to the



W.P.CRL.(MD).No.2504 of 2026

petitioner's son Vasanthakumar, S/o.Moorthy, PID No.241844, aged 32,
presently confined at Central Prison, Trichy.

For Petitioner : Mr.P.M.Basil

For Respondents : Mr.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 second respondent made in RO-TRY/196/2026-CA, dated 08.04.2026 and for a consequential direction to the 3rd respondent to grant 28 days ordinary leave without escort to the petitioner's son, who is presently serving sentence at Central Prison, Tiruchirappalli.

2. The petitioner's son is a life convict, who is presently serving sentence at Central Prison, Tiruchirappalli. The petitioner submitted a representation seeking 21 days ordinary leave without escort on the ground that the petitioner is a heart patient and he requires immediate medical treatment and some arrangement must also be made for the marriage of the petitioner's daughter.



W.P.CRL.(MD).No.2504 of 2026

3. The representation made by the petitioner came to be rejected by the second respondent through the impugned proceedings, dated 08.04.2026, on the ground that there is a specific bar under Rule 21 of the Tamil Nadu Suspension of Sentence Rules, 1982 and therefore, no ordinary leave can be granted. Aggrieved by the same, the present Writ Petition has been filed before this Court.

4. We carefully considered the submissions made on either side and the materials available on record.

5. Rule 21(h)(2) provides a bar in a case, which involves kidnapping for ransom, which is punishable under Section 364(A) of IPC. In the case in hand, the convict has not been punished for kidnapping for ransom, but he has only been punished for the offence under Section 366 of IPC apart from other offences. There is no bar in considering ordinary leave for the convict, who is punished under this provision.

6. We are aware of our recent judgment made in W.P.(Crl.)(MD) Nos.1752, 1981, 2313 and 2331 of 2026, datd 28.04.2026, where we have



W.P.CRL.(MD).No.2504 of 2026

held that grant of leave is not a matter of right and therefore, a convict has to satisfy the requirements under the relevant rules, failing which, leave cannot be granted. In the case in hand, the convict has not been punished for the offence of kidnapping for ransom. Therefore, without there being a bar under Rule 21 of the Tamil Nadu Suspension of Sentence Rules, 1982, the ordinary leave sought for cannot be rejected.

7. In the light of the above discussion, the impugned proceedings of the second respondent, dated 08.04.2026, is quashed and there shall be a direction to the second respondent to grant 28 days ordinary leave to the convict subject to the condition that he will report before the fourth respondent daily at 6.00 PM during the entire ordinary leave period.

8. This Writ Petition is allowed in the above terms. No costs.

[N.A.V., J.] & [K.K.R.K., J.]
30.04.2026

NCC : Yes / No
Index : Yes / No
Indu



W.P.CRL.(MD).No.2504 of 2026

WEB COPY

To

- 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,
Singampunari Police Station,
Sivagangai District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



W.P.CRL.(MD).No.2504 of 2026

N.ANAND VENKATESH, J.
AND
K.K.RAMAKRISHNAN, J.

Indu

W.P.Crl.(MD).No.2504 of 2026

30.04.2026