



W.P.Crl..(MD).No.2586 of 2026

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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**

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Muthuduraichi

..... Petitioner

Vs.

1.The Home Secretary,
Home Department (Prison),
Secretariat, Fort St. George,
Chennai - 600 009.

2. The Deputy Inspector General of Prison,
Madurai Range, Madurai District.

3.The Superintendent of Prison,
Central Prison,
Palayamkottai, Tirunelveli District.

4.The Inspector of Police,
Karivalaanthanallur Police Station,
Thenkasi.

5.The Inspector of Police,
Chinnakovilangulam Police Station,
Tenkasi District.

..... Respondents

(respondent No.5 is suo motu impleaded vide order of this Court dated
30.04.2026)



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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 relating to the proceedings in No.775/Utha.2/2025 (RO-MDU/775/2025-G2) issued by the second respondent dated 16.04.2026 and quash the same and consequently direct the third respondent to grant 28 days ordinary leave without escort to the petitioner's brother, namely, Ashok @ Ashok Kutty S/o. Kottai Sami, PID No.102433, aged 42, presently confined at Central Prison, Palayamkottai.

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.]

The Inspector of Police, Chinnakovilankulam Police Station, Tenkasi District, is suo motu impleaded as the fifth respondent in this writ petition. Mr.A.Thiruvadi Kumar, learned Additional Public Prosecutor takes notice for the newly impleaded fifth respondent.



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2. This writ petition has been filed challenging the proceedings of the second respondent made in No.775/Utha.2/2025 (RO-MDU/775/2025-G2) dated 16.04.2026 and for a consequential direction to the third respondent to grant 28 days ordinary leave without escort to the petitioner's brother, who is presently serving sentence at Central Prison, Palayamkottai.

3. Heard the learned counsel on either side.

4. The petitioner's brother is a life convict, who is presently serving sentence at Central Prison, Palayamkottai. The petitioner submitted a representation to the third respondent seeking for 28 days ordinary leave stating that the property belonging to her father has to be dealt with and the renovation work must be carried out in the house. The representation made by the petitioner came to be rejected by the second respondent through the impugned proceedings dated 16.04.2026 on the ground that there are two pending cases against the convict in C.C.No.21 of 2020 on the file of the Judicial Magistrate, Sankarankovil and C.C.No.222 of 2019 on the file of the very same Court. Apart from that, when the convict was



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already granted leave, he absconded and the same resulted in the registration of an FIR in Crime No.151 of 2016 for the offence under Section 224 of IPC and considering this conduct also, the representation came to be rejected. Aggrieved by the same, the present petition came to be filed before this Court.

5. Taking into consideration the facts and circumstances of the case and considering the fact that the convict has undergone sentence for 12 years, 3 months and 21 days and also taking into consideration the fact that on an earlier occasion, this Court had granted ordinary leave to the convict in the year 2022, this Court is inclined to interfere with the proceedings of the second respondent dated 16.04.2026 and the same is hereby set aside. Hence, there shall be a direction to the second respondent to grant 28 days ordinary leave to the convict subject to the condition that the convict will report before the Inspector of Police, Chinnakovilankulam, Tenkasi District daily at 06.00 p.m., during the entire ordinary leave period. Apart from that condition, the convict is permitted to submit the sureties before the Superintendent of Prison, Central Prison, Palayamkottai, instead of executing the sureties before the Tahsildar and two sureties shall be the



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family members of the convict. The other conditions imposed by the second respondent shall stand as it is.

6. This Writ Petition (Criminal) is disposed in the above terms.

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

NCC : Yes / No
Index : Yes / No
TSG

Copy to

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2. The Deputy Inspector General of Prison,
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3.The Superintendent of Prison,
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6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.K.RAMAKRISHNAN, J.

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