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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27-10-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

AND

THE HON'BLE MR.JUSTICE N.GUNASEKARAN

WP Crl.(MD) No. 5613 of 2026

CNR:{HCMD011441062026}

R.Pooja ..Petitioner(s)

Vs

1. The Deputy Inspector General of Prisons and
   Correctional Services
   Trichy Range,
   Race Course Road,
   Trichy - 620 023.

2. The Superintendent of Prison
   District Prison,
   Pudukkottai District.

3. The Superintendent of Police
   O/o.The Superintendent of Police,
   Nilgiris District.

4. The Inspector of Police
   Kethi Police Station,
   Nilgiris District. ..Respondent(s)

PRAYER: Habeas Corpus Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the 1st respondent vide proceedings in No.RO.TRY/411/2026-CA, dated16.09.2026 and quash the same as illegal and consequently direct the 1st respondent to grant 28 days Ordinary Leave without police escort to the petitioner's father, namely, Ramanidharan, S/o Jeyaraman, aged

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about 58 years, Life Convict, PID No.108152 confined at District Prison, Pudukkottai District.

For Petitioner(s) : Mr.K.A.S. Prabhu

For Respondent(s) : Mr.G.Karuppasamy Pandiyan
Additional Public Prosecutor

ORDER

(Order of the Court was made by M.Nirmal Kumar J.)

The petitioner is the daughter of the convict prisoner, namely, Ramanidharan, S/o. Jeyaraman, aged about 58 years, a life convict bearing PID No. 108152. The petitioner has challenged the impugned order whereby her father was denied leave.

2. The petitioner's father was convicted by the trial Court in Spl. S.C. No. 32 of 2018. By judgment dated 16.10.2019, the learned Mahila Court (Sessions Judge), Pudukkottai District, convicted him and sentenced him to undergo five years of imprisonment and imposed a fine of Rs. 2,000/-, in default, to undergo simple imprisonment for one month for the offence under Section 363 IPC; sentenced him to undergo life imprisonment for the offence under Section 6 of the POCSO Act and imposed a fine of Rs. 1,000/-, in default, to undergo simple imprisonment for one month; and sentenced him to undergo two years of rigorous

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imprisonment for the offence under Section 9 of the Prohibition of Child Marriage Act, 2006.

3. Aggrieved by the judgment of conviction and sentence rendered by the learned Mahila Court (Sessions Judge), Pudukkottai District, the petitioner's father preferred an appeal before this Court in Crl. A. (MD) No. 1 of 2021, which was dismissed, thereby confirming the conviction recorded by the trial Court.

4. The petitioner's father submitted a representation dated 10.07.2026 to the respondents 1 and 2, seeking 28 days of ordinary leave on the ground that financial arrangements had to be made for the medical treatment of the petitioner's mother, who was suffering from severe asthma. Though the Probation Officer and others had submitted favourable reports confirming the ailment and the conduct of the petitioner's father, the fourth respondent raised certain objections. Based on the same, the impugned order came to be passed.

5. The learned counsel for the petitioner submitted that the alleged occurrence in this case had taken place decades ago and, moreover, in Pudukkottai District. The petitioner's father has to visit his residence at

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Kethi, Nilgiris District, and there can be no apprehension of any threat, intimidation, or physical harm to anyone. Hence, the objection raised by the fourth respondent is unsupported by any material.

6. The learned Additional Public Prosecutor fairly submitted that, in this case, the petitioner's request was considered by the Superintendent of Police, who had sought reports from the Probation Officer and the jurisdictional police. The Probation Officer had submitted a favourable report confirming the ailment of the petitioner's mother and the conduct of the convict prisoner. The fourth respondent, being the jurisdictional police station under whose jurisdiction the convict prisoner is to reside, had raised certain objections. However, the learned Additional Public Prosecutor fairly submitted that the objections were not supported by any material.

7. In view of the same, and considering that the convict prisoner has been in prison for seven years, ten months, and 27 days, we are inclined to quash the impugned order dated 16.09.2026 and direct the respondents to grant leave to the convict prisoner without police escort.

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8. Accordingly, the writ petition is disposed of with the following directions:

(i) The respondents are directed to grant 28 days ordinary leave to the petitioner's father, namely, Ramanidharan S/o Jeyaraman, aged about 58 years, Life Convict, PID No.108152 confined at District Prison, Pudukkottai District, without escort.

(ii) During the said leave period, he shall report before the fourth respondent, daily at 10.00 a.m., without fail.

(iii) He shall report back to the second respondent, on completion of the leave period, without fail.

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

(v) During the leave period, the convict prisoner shall abide by all the conditions prescribed in the Jail Manual.

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(vi) The convict shall utilize the leave only for the reason for which it has been granted and shall not partake in any other activities.

(M.N.K.,J.) (N.G.N.,J.)
27-10-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
sji

To

1. The Deputy Inspector General of Prisons and Correctional Services
   Trichy Range,
   Race Course Road,
   Trichy - 620 023.

2. The Superintendent of Prison
   District Prison,
   Pudukkottai District.

3. The Superintendent of Police
   O/o.The Superintendent of Police,
   Nilgiris District.

4. The Inspector of Police
   Kethi Police Station,
   Nilgiris District.

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

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N.GUNASEKARAN, J.
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