



W.P.Crl.(MD) No.2750 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.01.2026

CORAM:

**THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN
and
THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY**

W.P.Crl.(MD) No.2750 of 2025

Muthukali

... Petitioner

-VS-

**1.The Deputy Inspector 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 Police
Central Jail
Madurai.**

**3.The Superintendent of Police
O/o. The Superintendent of Police
Ramanathapuram District**

**4.The Inspector of Police
Kamudhi Police Station,
Ramanathapuram District**

....Respondents.

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a writ of Writ of Certiorarified Mandamus, directing the respondents to call



W.P.Crl.(MD) No.2750 of 2025

for the records passed by the first respondent in No.813/Vu.tha.2/2025 dated 11.11.2025 and quash the same as bad in law and further direct the respondents 1 and 2 to grant ordinary leave without escort to the petitioner's son namely Alex Pandi, S/o.Mookiah, C.P.No.6122 (PID No.410038) who is languishing in the Madurai Central Prison.

For Petitioner : Dr.Lakshmi Prasanna Komara

For Respondents : Mr.T.Senthil Kumar
Additional Public Prosecutor

O R D E R

The prayer in the Writ Petition is to quash the impugned order passed by the first respondent in No.813/Vu.tha.2/2025 dated 11.11.2025 and direct the respondents 1 and 2 to grant ordinary leave without escort to the petitioner's son namely Alex Pandi, S/o.Mookiah, C.P.No.6122 (PID No.410038) who is languishing in the Madurai Central Prison.

2. The petitioner is the mother of the convict prisoner. Her son was convicted for the offences under Sections 120(B), 302 r/w.149 of IPC, 148 of IPC and sentenced to undergo life imprisonment in S.C. No.361 of 2017 by the VI Additional District and Sessions Court, Madurai. Aggrieved by the same, the convict also preferred an appeal before this Court in Crl.A(MD) No.807 of 2022 and the same was also confirmed by this Court vide judgment 17.04.2025.



W.P.Crl.(MD) No.2750 of 2025

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3. The petitioner being mother of the convict has applied for ordinary leave for her son on medical grounds and also to renovate the house which is in dilapidated condition, however the said request was rejected by an order dated 11.11.2025 on the ground that the son of the petitioner is facing trial for the offences under Sections 392 r/w.297 of IPC.

4. When the person is facing trial for the offence under Section 392r/w. 397 of IPC he is not entitled for ordinary leave as per Rule 35 of Tamil Nadu Suspension of Sentence Rules, 1982.

5. The learned counsel appearing for the petitioner submitted that the petitioner is a aged mother and she is suffering from medical illness and there is no one to look after her. Further another ground is that the she wants to renovate the house which is in dilapidated condition.

6. A perusal of the record reveals that the petitioner is suffering only with eye sight issue and no one's assistance is necessary. Further the house cannot be renovated within 21 days. That Apart Rule 35 of Tamil Nadu Suspension of Sentence Rules, 1982 does not permit to grant any ordinary leave



W.P.CrI.(MD) No.2750 of 2025

to the convict who is facing trial in another case, thereby the son of the petitioner is not entitled for any leave.

7. In view of the same, this Court does not find any infirmity or illegality in the order passed by the first respondent, hence the petition stands dismissed. However the petitioner is at liberty to submit a fresh representation seeking emergency leave on valid grounds.

[G.K.I., J.] [K.R., J.]
02.01.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To:

1.The Deputy Inspector General of Prison
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and Correctional Services
Madurai Range,
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2.The Superintendent of Police
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W.P.Crl.(MD) No.2750 of 2025

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Kamudhi Police Station,
Ramanathapuram District

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



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W.P.Crl.(MD) No.2750 of 2025

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W.P.Crl.(MD) No.2750 of 2025

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