

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-04-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

WP CrI. No. 822 of 2026

N.Eswari
W/o.Nagaraj,
No.41, London Mission School Street,
P.N.Palayam,
Coimbatore.

..Petitioner(s)

Vs

1. The Deputy Inspector General of Prison,
Coimbatore Range,
Central Prison Campus,
Coimbatore-641018.

2. The Superintendent of Prison,
Central Prison,
Coimbatore-641018.

..Respondent(s)

Prayer: Writ petition filed under Article 226 of Constitution of India for issuance of a WRIT OF MANDAMUS to directing the respondents to release the petitioner's son namely Tamil Selvan @ Karthi son of Nagaraj, aged 32 years, Convict Prisoner, PID 211838 now confined in the Central Prison, Coimbatore, on 28 days Ordinary Leave and thus render justice.

For Petitioner(s): Mr. M. Mohamed Saifulla
for Mr.P.Pugalenthi

For Respondent(s): Mr.R.Muniyapparaj
Additional Public Prosecutor
Assisted By
Mr. M. Sylvester John



ORDER

(Order of the Court was made by Dr.Anita Sumanth J.)

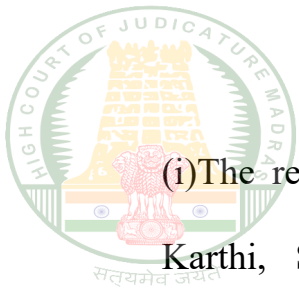
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The petitioner seeks a mandamus for release of her son Tamil Selvan @ Karthi, S/o.Nagaraj, male aged 32 years, who is presently confined in Central Prison, Coimbatore.

2. Based on his request for 28 days ordinary leave, an order appears to have been passed on 04.08.2025 granting him leave. According to the petitioner, he has not been supplied with a copy of the order but the same is supplied to the Court now. Thereafter, the petitioner was directed to furnish sureties which have also been furnished. We hence see no justification whatsoever for not permitting the convict to go on leave.

3. Mr.R.Muniyapparaj, learned Additional Public Prosecutor, faced with this position, accedes to the position that the convict has been granted leave, and there is no reason to deny him permission to avail the same. He states that the convict will be permitted to go on leave from the day after tomorrow (i.e., 18.04.2026) onwards for a period of 28 days as per order dated 04.08.2025, though without escort. We record the same.

4. This Writ Petition is allowed and the petitioner's request for grant of ordinary leave of 28 days without police escort is granted on the following conditions:



(i) The respondents are directed to release the convict viz., Tamil Selvan @ Karthi, S/o.Nagaraj, aged about 32 years, confined at Central Prison, Coimbatore, on ordinary leave for a period of twenty eight (28) days without escort i.e., from 18.04.2026 to 15.05.2026.

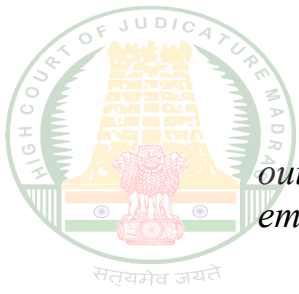
(ii) The convict shall be released on 18.04.2026 at 10.00 A.M. and is directed to surrender before the Superintendent of Prisons, Central Prison, Coimbatore, on 16.05.2026 before 10.00 A.M.

(iii) The convict shall report before the Race Course Police Station, Coimbatore, twice a week, i.e., on every Monday and Thursday at 10.30 A.M, during the period of leave.

(iv) During the leave period, the Convict Prisoner shall abide by all the conditions prescribed in the Jail Manual.

5. We are also unhappy with the fact that though the convict has been granted leave on 04.08.2025 itself, the order has not been communicated to him. The purpose of the leave granted thus stand defeated. We have in W.P.CrI.No.797 of 2026, also dealt with the issue of delay in processing applications seeking leave and at paragraph 4 stated as follows:

'4. We also see that the Tamil Nadu Suspension of Sentence Rules, 1982 provides for a detailed set of timelines to be adhered to by the authorities in processing applications seeking ordinary leave, that itself stipulates that the process should be completed within 28 days. The urgency is far more in the case of emergency leave. Let Circulars, if any, issued setting



out timelines for disposal applications/representation seeking emergency leave be produced by the respondents.'

WEB COPY 6. List on 01.06.2026 as an item successive to W.P.CrI.No.797 of 2026, on which date, the Circular as directed above shall be produced.

**(A.S.M.,J.) (S.M.,J.)
16-04-2026**

mpl

Index: Yes/No

Speaking order

Neutral Citation: Yes

Note to Registry: Issue Today.

To

1. The Deputy Inspector General of Prison,
Coimbatore Range,
Central Prison Campus,
Coimbatore-641018.
2. The Superintendent of Prison,
Central Prison,
Coimbatore-641018.
3. The Public Prosecutor,
High Court of Madras.
4. The Section Officer,
Criminal Section, High Court of Madras.



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