

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-04-2026

CORAM

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THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

WP CrI. No. 1069 of 2026

M.Malar
W/o.Late. Munusamy @ Madhan,
No. 12/21, Adhishesha Nagar 4th Street,
Perambur,
Chennai District.

..Petitioner(s)

Vs

1. The Director General of Prisons
O/o.Director General of Prison,
Whannels Road,
Egmore, Chennai 600 008.
2. The Deputy Inspector General of Prison
O/o.Deputy Inspector General of Prison,
Whannels Road,
Egmore, Chennai 600 008.
3. The Superintendent of Prison
Central Prison -Puzhal,
Chennai District.

..Respondent(s)

PETITION filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the respondents to grant 4 days Emergency leave without escort to petitioner sons Life Convict Arun S/o.Late. Munusamy @ Madhan PID No. 102888 and Sathish S/o.Late. Munusamy @



Madhan PID No. 72276 now confine in Central Prison, Chennai , 3rd respondent herein for the purpose of to performing the ritual in 16th day of the deceased father in pursuant to petitioner representation dated on 23.04.2026 and pass such further or other orders.

For Petitioner(s): P.Muthamizhselvakumar

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

ORDER

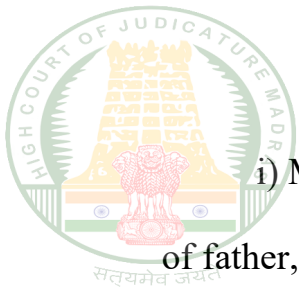
(Order of the Court was made by Dr.Anita Sumanth J.)

The petitioner is the mother of life convict Arun, S/o Late Munusamy @ Madhan, confined in Central Prison, Chennai. Unfortunately, the convict's father had passed away during his confinement in the prison and the convict was granted one day emergency leave to perform the rituals. Now the petitioner has sought emergency leave for his son to perform the connected rituals,i.e, 15th and 16th day ceremony.

2. The said request has been rejected on the ground that Rule 6 of the Tamil Nadu Suspension of Sentence Rules, 1982 (in short 'Rules') provides for grant of emergency leave only in certain adumbrated circumstances.

3. We have heard both learned counsel and perused the material papers.

4. Rule 6 of the Rules provides for grant of emergency leave in the following situations:



i) Medical leave for serious illness or for attending death or serious illness of father, mother, wife, husband, son, daughter, full brother or full sister

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ii) wedding of the prisoner, or son, daughter, full brother or full sister and

iii) for delivery outside the prison in the case of female pregnant prisoners.

5. Admittedly, the performance of 15th and 16th day ceremony is not one of the aforesaid circumstance. Hence, we are not persuaded to amplify the ambit of Rule 6 and in such circumstances, we find nothing untoward in the rejection of the petitioner's plea.

6. Having said so, Rule 40 provides for power to exempt any person from all or any of the Rules. Since the death of the convict's father is not disputed and the convict was also granted emergency leave for performing the death rituals, the plea of the petitioner may be reviewed and re-considered.

7. Let this exercise be completed within a day from today and the result intimated to the petitioner and the convict promptly thereafter. If at all the State is inclined to grant leave as sought for, let it be restricted to the 15th and 16th day ceremony alone, scheduled on 04.05.2026 and 05.05.2026, with adequate measures in place to ensure that escort is provided, at the cost of the State.



8. This Writ Petition is disposed with the observations and directions as aforesaid.

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(A.S.M.,J.) (S.M.,J.)

29-04-2026

Index: Yes/No
Speaking order
Neutral Citation: Yes

Note: Issue today.

SL

To

1. The Director General of Prisons
O/o. Director General of Prison,
Whannels Road,
Egmore, Chennai 600 008.
2. The Deputy Inspector General of Prison
O/o. Deputy Inspector General of Prison,
Whannels Road,
Egmore, Chennai 600 008.
3. The Superintendent of Prison
Central Prison -Puzhal,
Chennai District.
4. The Public Prosecutor, High Court, Madras.



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DR.ANITA SUMANTH J.
AND
SUNDER MOHAN J.

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