



WEB COPY



W.P.Crl.No. 613 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.04.2026

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH
and
THE HONOURABLE MR.JUSTICE SUNDER MOHAN

W.P.Crl. No. 613 of 2026

Babu, (M/65),
S/o. Sami,
PID No. 33243
Puzhal Central Prison,
Puzhal – 600 066.

.. Petitioner

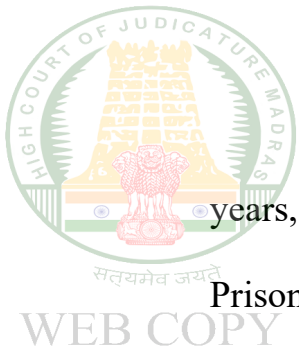
VS

The State Represented by its
1.The Deputy Inspector General of Prison,
Puzhal Range, Puzhal – 600 066.

2.The Superintendent,
Central Prison, Puzhal,
Puzhal – 600 066.

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying to issue a writ of certiorarified mandamus to call for the records pertaining to the impugned order letter No: RO-CHN/47/2026-CA.1 dated 04.02.2026, passed by the 1st respondent and quash the same and consecutively direct the 2nd respondent to grant ordinary leave for 40 days without escort to the detenu, Babu (M/65), S/o. Sami, aged about 65



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years, convict prisoner, bearing PID No 33243, confined at Central Prison, Puzhal – 1, Puzhal at Chennai.

For Petitioner : Mr.M.Ezhilarasu
For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor
assisted by
Mr.M.Sylvester John

ORDER

(Made by Dr. ANITA SUMANTH, J.)

The petitioner – Babu, S/o.Sami, is a life convict aged about 65 years confined in Central Prison Puzhal-1, Chennai. He was convicted in 1992. He had been granted 10 days leave without escort between 31.07.2024 to 09.08.2024 by this Court, 21 days leave without escort between 01.02.2025 to 21.02.2025 by this Court and emergency leave in three spells of 6 days, 3 days and 6 days in May and November 2025 and January 2026. He had sought ordinary leave of 21 days which was rejected by an order dated 04.02.2026 on the ground that one year had not elapsed since last leave granted and had challenged that order by way of present writ petition.

2. On 23.03.2026 we had recorded the submissions of Mr.R.Muniyapparaj, learned Additional Public Prosecutor that since the convict had completed a period of one year as per Tamil Nadu the



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Suspension of Sentence Rules 1982, the authorities are willing to review into the matter.

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3. However, when the matter is taken up today, Mr.Muniyapparaj states that the rejection has been reiterated by an order dated 28.03.2026, this time for the reason that the petitioner has a history of absconding when granted leave.

4. It is true that the petitioner has been repeatedly absconding. He had first absconded on 11.06.1997 when he had been granted leave and was secured on 23.11.2000. The second instance was on 08.10.2001, when he was escorted for court production and he was secured on 21.11.2002, and the third instance was on 03.01.2004 and he was secured only after more than 10 years, on 06.09.2014.

5. While the apprehension of the learned Additional Public Prosecutor may be justified to some extent, we also take note of the intervening circumstances post 2014. The proforma circulated by learned Additional Public Prosecutor indicates that post 2014 when the detenu had been secured after 10 years, he was granted leave only in 2024 and 2025 and emergency leave in 2026. The leave granted was without escort and he had returned to custody without incident.

6. In light of the aforesaid circumstances, we are of the considered view that the detenu should not be denied the benefit of leave now. We



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thus intervene, mould the relief sought for, and quash order dated 28.03.2026 rejecting the request of the petitioner for leave.

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7. This Writ Petition is allowed. Consequently, the petitioner's request for grant of ordinary leave of 26 days without police escort is granted and the respondents are directed to release the convict viz., Babu, S/o.Sami, aged about 65 years, confined at Central Prison Puzhal-1, Puzhal at Chennai, on ordinary leave for a period of twenty six (26) days without escort i.e., from 03.04.2026 to 29.04.2026 on the following conditions:

(i)The convict shall be released on 03.04.2026 at 10.00 A.M. and is directed to surrender before the Superintendent of Prisons, Central Prison Puzhal -1, Puzhal at Chennai, on 29.04.2026 by 5.30 P.M.

(ii)The convict shall report before the N3 Muthiyalpettai Police Station, twice a week, i.e., on every Monday and Thursday at 10.30 A.M, during the period of leave.

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

8. List on 30.04.2026 under the caption 'for compliance'.

[A.S.M, J.] [S.M, J.]
01.04.2026

Index: Yes/No

Neutral Citation: Yes/No

mpl

Note to Registry : Issue Today

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1. The Deputy Inspector General of Prison,
Puzhal Range, Puzhal – 600 066.
2. The Superintendent,
Central Prison, Puzhal,
Puzhal – 600 066.
3. The Public Prosecutor,
High Court, Madras.



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