

Divya Vs The State represented by its,

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Court : Chennai

Decided On : Apr-30-2026

Judge : Honourable Mr Justice N. Anand Venkatesh, Honourable Mr Justice K.K. Ramakrishnan

Appeal No. : WP CrI.(MD)/2554/2026

Appellant : Divya

Respondent : The State represented by its,

Judgement :

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT DATED :
30.04.2026

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH AND THE
HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN
W.P.CrI.(MD).No.2554 of 2026 Divya Petitioner / Wife of the detenu
Vs. 1.The State represented by the Secretary to Government of Tamil
Nadu, Home (Prison - IV) Department, The Secretariat of Tamil Nadu,
Chennai - 600 009. 2.The Deputy Inspector General of Prison, Trichy
Range, Trichy - 620 023. 3.The Superintendent of Prison, Central Prison

Trichy, 4.The Superintendent of Police, Office of Superintendent of Police,

5.The Inspector of Police, E-4 Thillai Nagar Police Station, Trichy - 620 017. Respondents Prayer : Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the Impugned Order bearing No.RO.TRY/660/2026.CA, dated 16.04.2026 passed by the 2nd respondent and quash the same and consequently direct the respondents to grant ordinary leave of 30 days without escort to the detenu, Raja, S/o.Sekar, aged about 40 years, PID No.295710, confined at Central Prison, Trichy. For Petitioner : Mr.S.Manoharan For Respondents : Mr.A.Thiruvadi Kumar, Additional Public Prosecutor

ORDER

[Order of the Court was made by N.ANAND VENKATESH, J.] This writ petition has been filed challenging the impugned proceedings of the second respondent made in No.RO.TRY/660/2026.CA, dated 16.04.2026 and consequently for a direction to the respondents to grant 30 days ordinary leave without escort to the petitioner's husband, who is presently serving sentence at Central Prison, Trichy.

2. Heard the learned counsel on either side.

3. The petitioner's husband is a life convict, who is presently serving

sentence at Central Prison, Trichy. He has served sentence for four years, four months and three days. The petitioner submitted a representation to the respondents to the effect that she requires medical treatment for which she wanted physical and emotional support of the convict, who is her husband. Apart from that, she also requires his presence for arranging funds for the education of her child. The representation made by the petitioner came to be rejected by the second

respondent through the impugned proceedings dated 16.04.2026 based on the objections raised both by the Probation Officer as well as the Police. Aggrieved by the same, the present writ petition has been filed before this Court.

4. Taking into consideration the facts and circumstances of the case

and considering the reasons for which the ordinary leave has been sought for and taking note of the fact that the convict was already granted leave by this Court on earlier occasions and the convict had complied with the conditions and nothing untoward had taken place, we are inclined to interfere with the impugned proceedings of the second respondent dated 16.04.2026 and the same is hereby set aside. There shall be a direction to

the second respondent to grant 21 days ordinary leave to the convict subject to the condition that he will report before the fifth respondent daily at 06.00 p.m., during the entire period of ordinary leave. Apart from that condition, the convict is permitted to submit the sureties before the Superintendent of Prison, Central Prison, Trichy, instead of executing the sureties before the Tahsildar and two sureties shall be the family members of the convict. The other conditions imposed by the second respondent shall stand as it is.

5. This Writ Petition (Criminal) is disposed in the above terms. [N.A.V., J.] & [K.K.R.K., J.] 30.04.2026 NCC : Yes / No Index : Yes / No TSG

Copy to 1.The Director General of Prison, the Secretary to Government of Tamil Nadu, Home (Prison - IV) Department, The Secretariat of Tamil Nadu, Chennai - 600 009.

2.The Deputy Inspector General of Prison, Trichy Range, Trichy - 620 023. 3.The Superintendent of Prison, Central Prison Trichy, 4.The

Superintendent of Police, Office of Superintendent of Police, 5.The
Inspector of Police, E-4 Thillai Nagar Police Station, Trichy - 620 017.
6.The Additional Public Prosecutor, Madurai Bench of Madras High
Court, Madurai.

N.ANAND VENKATESH , J.

AND

K.K.RAMAKRISHNAN, J.

TSG W.P.Crl.(MD).No.2554 of 2026 30.04.2026

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