



**W.P(MD)No.14781 of 2024**

**WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 05.07.2024**

**CORAM:**

**THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA  
and  
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**W.P(MD)No.14781 of 2024**

Lakshmi

... Petitioner

**-VS-**

1.The Additional Director General of Police (Prison),  
Chennai.

2.The Superintendent,  
Central Prison,  
Madurai.

... Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus directing the respondents to release the petitioner's son namely Kaleeshwaran, S/o.Vijayan on ordinary leave/emergency leave for 15 days, to the marriage of the petitioner's daughter scheduled on 10.07.2024 at Old Murugan Theater Marriage Hall, Ramaiah Street, Jaihindupuram, Madurai City by considering the petitioner's representation, dated 25.06.2024.



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For Petitioner : Mr.T.Sugadev

For Respondents : Mr.A.Thiruvadi Kumar  
Additional Public Prosecutor

### **ORDER**

**[Order of the Court was made by A.D.JAGADISH CHANDIRA, J.]**

The present Writ Petition is filed for a writ of mandamus directing the respondents to release the petitioner's son namely Kaleeshwaran, S/o.Vijayan on ordinary leave/emergency leave for 15 days, to the marriage of the petitioner's daughter schedule on 10.07.2024 at Old Murugan Theater Marriage Hall, Ramaiaha Street, Jaihindupuram, Madurai City by considering the petitioner's representation, dated 25.06.2024.

2. The case of the petitioner is that her son was convicted for 10 years Rigorous Imprisonment for the offence under Sections 8(c) r/w20(b)(ii)(c), 25 and 29(1) of NDPS Act and imposed a fine of Rs.1,00,000/-. The petitioner's younger daughter Solaipriya's marriage with one M.P.Manimaran, S/o.Pandi from Melathuval Village has been fixed and it has been decided that the marriage will



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take place on 10.07.2024 at Old Murugan Theater Marriage Hall, Ramaiah Street, Jaihindupuram, Madurai District. For the said marriage, the presence of her son is required and he is the only son available in the category of Uncle to perform all the rights and rituals. Therefore, she made a representation before the second respondent on 25.06.2024. Since, no action was taken by the respondents on the representation, the petitioner has filed the present writ petition.

3. The learned Additional Public Prosecutor appearing for the respondents would submit that though the convict prisoner is in custody for two years and after the conviction he has completed 1 1/2 years. The petitioner was involved in case of Gang Rivalry and the respondent police apprehends danger to the life of the prisoner from the rival group and hence, he would object for grant of suspension of sentence.

4. The learned counsel for the petitioner would submit that there is no danger to the prisoner's life and he is also ready to go along with escort.



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5. Taking into consideration the request of the petitioner and also taking into sympathetic and humanitarian consideration, this Court is inclined to direct the second respondent to grant emergency leave for two days to the convict prisoner with escort.

6. In the result,

(i) The writ petition is disposed of.

(ii) The convict prisoner, namely, Kaleeshwaran, S/o.Vijayan shall be granted emergency leave for two days (2) from 09.07.2024 at about 10.00 a.m., to 10.07.2024 with escort.

(iii) He shall report back to the Superintendent of Prison, Central Prison, Madurai/second respondent by 11.00 a.m., on 11.07.2024.

(iv) Necessary escort shall be provided to accompany the convict prisoner.

(v) The escort charges shall be borne by the petitioner and if necessary, the same shall be adjusted from the income earned by the convict prisoner during the imprisonment period.



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(vi) The petitioner shall produce all necessary documents, along with a copy of this order, before the jail authorities.

(vii) During the leave period, the convict prisoner shall abide by all the conditions prescribed in the jail manual.

(viii) No costs.

[A.D.J.C., J.] [K.R.S., J.]  
05.07.2024

NCC : Yes / No  
Index : Yes / No  
Internet : Yes / No  
am

To:

- 1.The Additional Director General of Police (Prison),  
Chennai.
- 2.The Superintendent,  
Central Prison,  
Madurai.



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**A.D.JAGADISH CHANDIRA, J.**  
**AND**  
**K.RAJASEKAR, J.**

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