



**W.P(MD) No.19537 of 2024**

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

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**Date : 14.08.2024**

**CORAM**

**THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN  
and  
THE HON'BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD**

**W.P(MD) No.19537 of 2024**

Arunbaskar

... Petitioner

**Vs**

1. State of Tamilnadu,  
Rep. by the Principal Secretary to Government,  
Home (Prison V) Department,  
Secretariat,  
Fort St George,  
Chennai – 600 009.

2. The Deputy Inspector General of Prisons,  
O/o. Additional Director General of Police /  
Inspector General of Prisons,  
Whannels Road,  
Egmore,  
Chennai - 8.



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3. The Superintendent of Prisons,

O/o. Superintendent of Prisons,

Central Prison,

Madurai District,

Madurai.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the Respondents to grant emergency leave to the petitioner namely, B.Kanagarajan (C.P.No. 9195, Central Prison, Madurai) on Parole for one month for effecting the prisoner marriage on 05.09.2024 and permit the petitioners father to visit his relatives house in Tiruchirappalli district and to meet his lawyer, relatives, to go to hospital, temples, and other places which similarly situated leave prisoner would be allowed.

For Petitioner : Mrs.T. Seeni Syed Amma

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

### **ORDER**

The writ petition has been filed in the nature of a Mandamus seeking a direction to the respondents to grant emergency leave to the



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father of the petitioner B.Kanagarajan, who is now convict Prisoner No. 9195, Central Prison, Madurai, to attend the marriage of the petitioner which is fixed on 05.09.2024.

2. The father of the petitioner had been convicted in C.C.No.5 of 2008 vide judgment, dated 07.10.2016 by the II Additional District Court, CBI Cases, Madurai District, for the offence under Sections 120B r/w.420 and 420 IPC for a period of five years for each one the charges and also with normal default clause. The said conviction has been confirmed in criminal appeal.

3. The learned counsel for the petitioner placed reliance on Rule 6 of the Tamil Nadu Suspension of Sentence Rules, 1982, which provide for grant of emergency leave, in case of among other reasons wedding. Though the number of days could be restricted, we are of the opinion that it would only be just six (6) days emergency leave is granted, so that the father of the petitioner could spend time for a few days before attending the wedding, and a few days later after the wedding.



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4. We have also heard Mr.A.Thiruvadikumar, learned Additional Public Prosecutor for the respondents.

5. The marriage invitation has been enclosed along with the documents filed in the writ petition and we therefore, cannot suspect the reasons stated.

6. Taking all the factors into consideration, we are of the opinion that the father of the petitioner, B.Kanagarajan, [Convict Prisoner No.9195], now detained in the Central Prison, Madurai, is granted emergency leave for six (6) days from 03.09.2024 to 08.09.2024.

7. Accordingly, this writ petition is allowed and the convict prisoner is granted emergency leave for 6 days with escort on the following conditions:-

(a)The detenu/B.Kanagarajan, [Convict Prisoner No.9195], now detained in the Central Prison, Madurai, is granted emergency leave for six (6) days from



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03.09.2024 to 08.09.2024.

(b)The detenu shall be released from the prison at 10.00 a.m., on 03.09.2024 and he shall return back to the prison at 7.00 p.m., on 08.09.2024.

(c)The third respondent is directed to provide minimum escort to the convict from the Central Prison at the time when he leaves the prison and till such time, he is taken back to the prison. It is clarified that the cost involved in providing escort shall be borne by the petitioner.

**(C.V.K., J.) (J.S.N.P, J.)**  
**14.08.2024**

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

RM



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To

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State of Tamilnadu,  
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Secretariat,  
Fort St George,  
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2. The Deputy Inspector General of Prisons,  
O/o. Additional Director General of Police /  
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3. The Superintendent of Prisons,  
O/o. Superintendent of Prisons,  
Central Prison, Madurai District,  
Madurai..
4. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**C.V.KARTHIKEYAN, J.**  
**and**  
**J.SATHYA NARAYANA PRASAD, J.**

RM

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