



W.P(MD) No.21635 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 06.12.2024

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MS.JUSTICE R.POORNIMA**

W.P(MD) No.21635 of 2024

Muthumari

... Petitioner

Vs

1.The Secretary to Government,
Home Department,
Government of Tamil Nadu,
Secretariat,
Chennai-600 009.

2.The Deputy Inspector General of Prison,
Madurai Central Prison Campus,
Madurai Range,
Madurai.

3.The Superintendent of Prison,
Central Prison,
Madurai.

4.The Inspector of Police,
Othakadai Police Station,
Madurai District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents 1 to 3 to release the petitioner's husband namely Manikandan S/o.Ramachandran, Male aged about 34 years (C.P.No.650) from the Central Prison, Madurai who was convicted in case in C.C.No. 247 of 2018 by the Principal Special Court for EC and NDPS Act case, Madurai and confined in Central Prison, Madurai as a convicted prisoner, on emergency leave based on the petitioner's representation on 04.09.2024.

For Petitioner : Mr.T.Indrachithu

For Respondents : Mr.T.Senthil Kumar,
Additional Public Prosecutor.

ORDER

(Order of the Court was made by **G.R.SWAMINATHAN, J.**)

Heard both sides.

2. The petitioner's husband is undergoing 10 years rigorous imprisonment in Central Prison, Madurai.

3. It is a case involving commercial quantity of narcotic substance. The petitioner is already facing a murder case and a robbery case. The



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convict is therefore not entitled to ordinary leave. The learned counsel for the petitioner states that a child was born when the petitioner's husband was in prison. The child is said to be around five years old.

4.Considering the special facts and circumstances, we direct the third respondent to grant six days emergency leave to the petitioner's husband. It will be under double escort. Accordingly, the convict prisoner is granted emergency leave for six days with two escort on the following conditions :-

(a)The convict prisoner, Manikandan S/o.Ramachandran [Convict Prisoner No.650], now detained in the Central Prison, Madurai, is granted emergency leave for six (6) days from 12.12.2024 to 17.12.2024.

(b) The convict prisoner shall be released from the prison at 05.00 p.m., on 11.12.2024 and he shall return to the prison at 10.00 a.m., on 18.12.2024.

(c)The third respondent is directed to provide two escort to the convict from the Central Prison at the time when he leaves the prison and till such time, he returns to the prison. It is clarified that the cost involved in



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providing escort shall be deducted from out of the earnings of the convict.

(d) During the leave period, the convict prisoner shall abide by all the conditions prescribed in the Jail Manual.

5. With the above direction, the Writ Petition stands allowed. No costs.

(G.R.S., J.) (R.P., J.)
06.12.2024

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

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NOTE:Issue Order Copy on 06.12.2024

To

- 1.The Secretary to Government,
Home Department,
Government of Tamil Nadu,
Secretariat,
Chennai-600 009.
- 2.The Deputy Inspector General of Prison,
Madurai Central Prison Campus,
Madurai Range,

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Madurai.

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- 3.The Superintendent of Prison,
Central Prison,
Madurai.
- 4.The Inspector of Police,
Othakadai Police Station,
Madurai District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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AND
R.POORNIMA, J.

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