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W.P.(MD)NO.25150 OF 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.11.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MS.JUSTICE R. POORNIMA

W.P.(MD)No.25150 of 2024

Hemalatha

... Petitioner

Vs.

1. The Secretary to Government,
Home Department (Prison),
Government of Tamil Nadu,
Secretariat, St. George Fort,
Chennai – 9.
2. The Additional Director General of Police (Prisons),
Inspector General of Police,
O/o.ADGP(Prisons)/I.G. Of Prisons,
Thalamuthu Natarajar Maaligai,
Egmore, Chennai -8.
3. The Superintendent of Prison,
Central Prison, Madurai.
4. The Superintendent of Police,
Ramanathapuram District.
(R-4 is *suo motu* impleaded vide order dated 05.11.2024)

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the impugned order passed by the third respondent in No.6256/tha.ku.2/2024 dated 23.09.2024 and quash the same and consequently directing the third respondent to grant one month



emergency leave without escort to the petitioner's husband namely Madhav Magesh, S/o.Gopal (C.P.No.6256) aged about 34 years a lift convict, for the purpose of being with her during her surgery and recovery due to her serious health condition.

For Petitioner : Mr.S.Srikanth,
for M/s.APN Law Associates.

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

* * *

ORDER

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

Heard both sides.

2. The petitioner's husband is a lift convict. Questioning the conviction and sentence imposed in S.C.No.120 of 2018 on the file of the Principal Sessions Judge, Ramanathapuram, the petitioner's husband has filed CrI.A.(MD)No.56 of 2023 before this Court. The appeal is still pending.

3. We grant liberty to the petitioner's husband to file an appropriate application for grant of interim bail by citing the reasons now



projected in this writ petition.

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4. This writ petition stands dismissed. No costs.

(G.R.SWAMINATHAN, J.) & (R. POORNIMA, J.)

12th November 2024

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

To:

1. The Secretary to Government,
Home Department (Prison),
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Secretariat, St. George Fort,
Chennai – 9.
2. The Additional Director General of Police (Prisons),
Inspector General of Police,
O/o.ADGP(Prisons)/I.G. Of Prisons,
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