



W.P(MD) No.26541 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 18.11.2024

CORAM

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

W.P(MD) No.26541 of 2024

Eswari

... Petitioner

Vs

1.The Deputy Inspector General of Prison,
O/o.The Deputy Inspector General of Prison
and Correctional Services,
Madurai Range,
Madurai Central Prison Campus,
New Jail Road,
Madurai.

2.The Superintendent of Prison,
Madurai Central Jail,
New Jail Road,
Madurai District.

3.The Superintendent of Police,
O/o.The Superintendent of Police,
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



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respondent no 1 and 2 to grant ordinary leave for the period of 30 days to petitioner's husband namely Rajkumar S/o.Kasinathan CP.No.5760 who is languishing in jail for past 4 years.

For Petitioner : Mr.SMA.Jinnah

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 Rajkumar (C.P.No.5760) is undergoing life imprisonment in Central Prison, Madurai. The petitioner's husband was convicted and sentenced vide Judgment dated 11.04.2018 in S.C.No. 179 of 2015 on the file of the IVth Additional District Sessions Judge, Madurai. Since he is in prison for more than 3 years 5 months 21 days, he is eligible for 21 days ordinary leave.

3. Taking into account the special facts and circumstances of this case, we direct the first respondent to grant 15 days ordinary leave to the



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petitioner's husband without escort. The petitioner shall not be leave the local limits of Thirumangalam Town Police Station.

4. Accordingly, the convict-prisoner is granted ordinary leave for 15 days without escort on the following conditions :-

(a) The convict prisoner, Rajkumar S/o.Kasinathan [C.P.No.5760], now detained in the Central Prison, Madurai, is granted ordinary leave for Fifteen (15) days from 26.11.2024 to 10.12.2024.

(b) The convict prisoner shall be released from the prison at 10.00 a.m., on 25.11.2024 and he shall return back to the prison at 5.00 p.m., on 11.12.2024.

(c) During the said leave period, he shall report before the Inspector of Police, Thirumangalam Police Station, daily at 07.00 am in the morning and 7.00 pm in the evening from 26.11.2024 onwards, without fail.

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



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

(G.R.S., J.) (R.P., J.)
18.11.2024

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
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NOTE: Issue Order Copy on 19.11.2024

To

1. The Deputy Inspector General of Prison,
O/o. The Deputy Inspector General of Prison
and Correctional Services,
Madurai Range,
Madurai Central Prison Campus,
New Jail Road,
Madurai.
2. The Superintendent of Prison,
Madurai Central Jail,
New Jail Road,
Madurai District.
3. The Superintendent of Police,
O/o. The Superintendent of Police,
Madurai.



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4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy To:

The Inspector of Police,
Thirumangalam Town Police Station,
Madurai.



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AND
R.POORNIMA, J.

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