



W.P(MD) No.27966 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 03.12.2024

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

W.P(MD) No.27966 of 2024

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... 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,
Tanjore.**

... 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 Certiorarified Mandamus, to call for the records pertaining the impugned order passed by the first respondent in No.734/உ.த.2/2024, dated 23.10.2024 and quash the same as bad in law and further directing the respondents to grant ordinary leave to the period of 30 days to the petitioner's husband.

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 is undergoing life sentence in Central Prison, Madurai. He had so far spent two years and seven months in prison. Therefore, the petitioner's request for grant of ordinary leave for her husband was rightly rejected. We therefore do not propose to interfere with the order impugned in the writ petition.



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3. The petitioner is having a special child. It is also stated that arrangements have to be made regarding the marriage of their daughter. Taking into account these aspects, we direct the second respondent to grant six days emergency leave 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, Arumugam S/o.Karuppaiya [Convict Prisoner No.5570], now detained in the Central Prison, Madurai, is granted emergency leave for six (6) days from 07.12.2024 to 12.12.2024.

(b) The convict prisoner shall be released from the prison at 05.00 p.m., on 06.12.2024 and he shall return to the prison at 10.00 a.m., on 13.12.2024.

(c) The second 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 providing escort shall be deducted from out of the earnings of the convict.



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

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

(G.R.S., J.) (R.P., J.)
03.12.2024

Index : Yes / No

Internet : Yes / No

NCC : Yes / No

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NOTE: Issue Order Copy on 04.12.2024

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.

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

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



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