



W.P(MD) No.28588 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 28.11.2024

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**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MR.JUSTICE P.VADAMALAI**

W.P(MD) No.28588 of 2024

Anna Juliet

... Petitioner

Vs

- 1.The Home Secretary,
Home (Prison-VI) Department,
Secretariat, Fort St.George,
Chennai-9.
- 2.The Director General of Prison,
Prisons and Correctional Services,
No.1, Gandhi Irwin Salai,
Egmore, Chennai-600 008.
- 3.The Deputy Inspector General of Prisons,
Madurai Range,
Madurai.
- 4.The Superintendent of Prison,
Special Prison for Woman,
Madurai.
- 5.The Superintendent of Police,
Tirunelveli District.



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6. Inspector of Police,
Valliyoor Police Station,
Tirunelveli District.

... 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 25 days ordinary leave for the petitioner's mother life convict Mariya Leela (Prison No.364) aged 69 who was confined in Special Prison for Woman at Madurai and currently taking treatment as inpatient at Thiraviam Orthopaedic Hospital No.2-191, Tirunelveli Main Road, Therekalputhooor, Nagercoil-629 901 by considering the petitioner's representation dated 26.11.2024.

For Petitioner : Mr.P.T.Ramesh Raja

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 had earlier filed W.P.(MD)No.26621 of 2024 for granting 30 days emergency leave for her mother. The writ petition was disposed of on 12.11.2024 in the following terms:-



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“2. The petitioner is the daughter of the life convict (C.P. No.364). She has been incarcerated in Special Prison for Women, Madurai. It is stated that the convict is having serious diabetic related ailments. One of her fingers had already been amputated.

3. We are satisfied that the reasons projected in the affidavit filed in support of the writ petition are genuine. The convict is also aged 69 years. We direct the third respondent to grant 15 days emergency leave at one go. This writ petition is disposed of in the following terms:-

(a)The convict prisoner, Marialeela, W/o.Packiyaraj [Convict Prisoner No.364], now detained in the Special Prison for Women, Madurai, is granted emergency leave for fifteen (15) days without escort from 14.11.2024 to 30.11.2024.

(b) The convict prisoner shall be released from the prison at 10.00 a.m., on 14.11.2024 and she shall return to the prison at 5.00 p.m., on 30.11.2024.

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

3. The petitioner now states that doctors have advised surgery in the left foot also and that the convict is still under treatment as inpatient. We are satisfied that a case for extension of the emergency leave has been made out. Leave earlier granted expires on 30.11.2024. It stands extended by 60 more days.

4. The Writ Petition is allowed accordingly.

(G.R.S., J.) (P.V.M., J.)
28.11.2024

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NOTE: Issue Order Copy on 28.11.2024

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To

1. The Home Secretary,
Home (Prison-VI) Department,
Secretariat, Fort St. George,
Chennai-9.
2. The Director General of Prison,
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No.1, Gandhi Irwin Salai,
Egmore, Chennai-600 008.
3. The Deputy Inspector General of Prisons,
Madurai Range,
Madurai.
4. The Superintendent of Prison,
Special Prison for Woman,
Madurai.
5. The Superintendent of Police,
Tirunelveli District.
6. Inspector of Police,
Valliyoore Police Station,
Tirunelveli District.
7. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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AND
P.VADAMALAI, J.

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