



W.P(MD)No.30105 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 13.12.2024

CORAM

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

W.P(MD)No.30105 of 2024

Manimegalai

... Petitioner

Vs.

1.The Director General of Prison,
Directorate of the General Prison,
Tamil Nadu Prison, Veannels Road,
Egmore, Chennai - 600 008.

2.The Deputy Inspector of General of Prisons,
Madurai Range, Madurai Central Prison Campus,
Madurai City - 625 016.

3.The Superintendent of Prison,
Madurai Central Prison,
Madurai City - 625 016.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the 2nd respondent vide his proceedings in No.883/Uo.tha.2/2024 dated 03.12.2024 and quash the same as illegal and consequently direct the respondent to grant leave to the petitioner's husband Jeyamari,



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S/o.Murugesan a convict prisoner confined at Madurai prison in CP. No.1418, forthwith without escort by considering petitioner's representations.

For Petitioner : Mr.J.Vijayaraja

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

ORDER

(Order of the court was delivered by G.R.Swaminathan, J.)

Heard both sides.

2.The petitioner's husband is undergoing ten years rigorous imprisonment in Central Prison, Madurai. He was convicted in an NDPS case involving commercial quantity. He is therefore not entitled to leave.

3.However, considering the special facts and circumstances projected in the writ petition, we direct the third respondent to grant five days (5) emergency leave with necessary escort.



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4.The writ petition is allowed of on the following conditions:-

(a)The convict-prisoner, Jeyamari, S/o.Murugesan, [Convict Prisoner No.1418] now detained in the Central Prison, Madurai is granted emergency leave for five (5) days from 19.12.2024 to 23.12.2024 with necessary escort.

(b) The convict prisoner shall be released from the prison at 05.00 p.m., on 18.12.2024 and he shall return to the prison at 06.00 p.m., on 24.12.2024.

(c) The Commissioner of Police, Madurai City is directed to provide necessary 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.

(d) During the leave period, the convict prisoner shall abide by all the conditions prescribed in the Jail Manual. No costs.

**(G.R.S. J.) & (R.P. J.)
13.12.2024**

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

Issue order copy on 16.12.2024.

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To:-

1. The Director General of Prison,
Directorate of the General Prison,
Tamil Nadu Prison, Veannels Road,
Egmore, Chennai - 600 008.
2. The Deputy Inspector of General of Prisons,
Madurai Range, Madurai Central Prison Campus,
Madurai City - 625 016.
3. The Superintendent of Prison,
Madurai Central Prison,
Madurai City - 625 016.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to:

The Commissioner of Police,
Madurai City, Madurai.



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and
R.POORNIMA, J.**

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