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W.P.(MD)NO.1951 OF 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.01.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MS.JUSTICE R. POORNIMA

W.P.(MD)No.1951 of 2025

Annabackiyam

... Petitioner

Vs.

1. The Deputy Inspector General,
Prison and Correctional Services Department,
Madurai Range, Madurai.

2. The Jail Superintendent,
Central Prison,
Madurai.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order vide No.975/U.Tha.2/2024 dated 06.01.2025 on the file of the 1st respondent and quash the same and consequently directing the 1st respondent to release the petitioner's husband namely Pandi @ Thangapandi, S/o.Karuppaiah on an ordinary leave (Parole) for a month in the light of her representation dated 16.12.2024 on the file of the respondents.



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For Petitioner : Mr.R.Venkateswaran

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 (Pandi @ Thangapandi) is undergoing life sentence at Central Prison, Madurai (Convict Prisoner No.5749). Their daughter is to leave for overseas employment on 26.01.2025. Since the petitioner has so far spent less than three years, he is not eligible for ordinary leave.

3.Considering the special facts and circumstances pleaded in the writ petition, we direct the second respondent to grant emergency leave for the convict from 24.01.2025 to 29.01.2025 without escort. The impugned order is accordingly set aside and this writ petition stands allowed in the following terms:-



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(a)The convict prisoner, Pandi @ Thangapandi [Convict Prisoner No.5749], now detained in the Central Prison, Madurai is granted emergency leave without escort from 24.01.2025 to 29.01.2025.

(b) The convict prisoner shall be released from the prison at 7.00 am., on 24.01.2025 and he shall return to the prison at 6.00 pm., on 29.01.2025.

(c) During the said leave period, he shall report before the Inspector of Police, Saptur police station, Madurai District daily at 7.00 p.m., from 24.01.2025 onwards without fail, except on 25.01.2025.

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

3.With the above direction, the Writ Petition stands allowed.

No costs.

(G.R.SWAMINATHAN, J.) & (R. POORNIMA, J.)
23rd January 2025

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

Note : Issue order copy on 23.01.2025.



To:
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1. The Deputy Inspector General,
Prison and Correctional Services Department,
Madurai Range, Madurai.
2. The Jail Superintendent,
Central Prison,
Madurai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to :

The Inspector of Police,
Saptur police station,
Madurai District.



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AND

R.POORNIMA, J.

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