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W.P.(MD)NO.3119 OF 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.01.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MS.JUSTICE R. POORNIMA

W.P.(MD)No.3119 of 2025

Selvi

(Now confining as life convict in
Special Prison for Women, Madurai)

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. By the Principal Secretary to Government,
Home (Prison-IV) Department,
State of Tamil Nadu, Secretariat,
St. George Fort, Chennai – 9.
2. The Director General of Police/
Director General of Prisons and
Correctional Services,
O/o.the Director General of Police,
C.M.D.A.Towers II,
No.1, Gandhi Irvin Rod,
Elumbur, Chennai – 8.
3. The Deputy Inspector General of Prison,
Madurai Central Prison Campus,
Madurai Range, Madurai District.
4. The Superintendent of Prison,
Special Prison for Women,
Madurai District.

... Respondents



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Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent No. 3 to grant 21 days ordinary leave to the petitioner by name Selvi, wife of Mariyappan aged about 70 years, confining at Special Prison for Women, Madurai as life convict to take treatment for the petitioner on the basis of the petitioner's representation dated 11.12.2024 in accordance with law.

For Petitioner : Dr.R.Alagumani

For Respondents : Mr.T.Senthilkumar,
Additional Public Prosecutor.

* * *

ORDER

(Order of the Court was delivered by G.R.SWAMINATHAN, J.)

Heard both sides.

2. The petitioner (Selvi) is undergoing life sentence in Special Prison for Women, Madurai (Convict Prisoner No.243). She had spent more than three years and six months. The petitioner seeks grant of ordinary leave for 21 days.

3. After going through the materials on record, we are satisfied that the leave can be granted without escort. The fourth respondent is directed to grant ordinary leave for 21 days without escort to the petitioner. This writ petition stands allowed in the following terms:-



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(a)The convict prisoner, Selvi [Convict Prisoner No.243], now detained in the Special Prison for Women, Madurai, is granted ordinary leave without escort for twenty one (21) days from 05.02.2025 to 25.02.2025.

(b) The convict prisoner shall be released from the prison at 5.00 pm., on 04.02.2025 and she shall return to the prison at 10.00 am., on 26.02.2025.

(c) During the said leave period, she shall report before the Inspector of Police, Thoothukudi SIPCOT police station, Thoothukudi District daily at 7.00 p.m., from 05.02.2025 onwards, without fail.

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

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

No costs.

(G.R.SWAMINATHAN, J.) & (R. POORNIMA, J.)

31st January 2025

NCC : Yes / No

Index : Yes / No

Internet : Yes/ No

PMU



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To:

1. The Principal Secretary to Government,
Home (Prison-IV) Department,
State of Tamil Nadu, Secretariat,
St. George Fort, Chennai – 9.
2. The Director General of Police/
Director General of Prisons and Correctional Services,
O/o.the Director General of Police,
C.M.D.A.Towers II, No.1, Gandhi Irvin Rod,
Elumbur, Chennai – 8.
3. The Deputy Inspector General of Prison,
Madurai Central Prison Campus,
Madurai Range, Madurai District.
4. The Superintendent of Prison,
Special Prison for Women,
Madurai District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to :

The Inspector of Police,
Thoothukudi SIPCOT police station,
Thoothukudi District.



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AND

R.POORNIMA, J.

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